



Luann G. Welmer, Clerk-Treasurer

**CITY COUNCIL MEETING  
CITY HALL  
TUESDAY, JUNE 17, 2014  
6:00 O'CLOCK P.M.**

**I. Meeting Called to Order**

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Roll Call
- D. Acceptance of Minutes

**II. Unfinished Business Requiring Council Action**

- A. Reading of a Resolution entitled "RESOLUTION NO.\_\_\_\_, 2014, A RESOLUTION ADOPTING A FISCAL PLAN FOR PROPERTY TO BE ANNEXED TO THE CITY OF COLUMBUS." (Redwood Acquisition Annexation) Jeff Bergman
- B. Second Reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_, 2014, AN ORDINANCE ANNEXING AND DECLARING CERTAIN TERRITORY TO BE A PART OF THE CITY OF COLUMBUS, INDIANA." (Redwood Acquisition Annexation) Jeff Bergman
- C. Second Reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_, 2014, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "AP" (AGRICULTURE: PREFERRED) TO "RMc" (RESIDENTIAL: MULTI-FAMILY WITH COMMITMENTS)." (Redwood Acquisition Rezoning) Jeff Bergman
- D. Second Reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_, 2014, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY BY AMENDING THE ZONING COMMITMENTS AT A LOCATION DESIGNATED AS "RMc" (RESIDENTIAL: MULTI-FAMILY WITH COMMITMENTS)." (Gateway Apartments Rezoning) Jeff Bergman

- E. Second Reading of an Ordinance entitled “ORDINANCE NO.\_\_\_\_, 2014, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM “I-2” (INDUSTRIAL: GENERAL) TO “CR” (COMMERCIAL: REGIONAL CENTER).” (Kroger Rezoning)  
Jeff Bergman
- F. Second Reading and Public Hearing of an Ordinance entitled “ORDINANCE NO.\_\_\_\_, 2014, AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2014.” Matt Caldwell

### **III. New Business Requiring Council Action**

- A. First Reading of an Ordinance entitled “ORDINANCE NO.\_\_\_\_, 2014, AN ORDINANCE ANNEXING AND DECLARING CERTAIN TERRITORY TO BE A PART OF THE CITY OF COLUMBUS, INDIANA.” (Cummins Walesboro Annexation)  
Jeff Bergman
- B. First Reading of an Ordinance entitled “ORDINANCE NO.\_\_\_\_, 2014, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM “AP” (AGRICULTURE: PREFERRED) AND “I-2” (INDUSTRIAL: GENERAL) TO “I-3” (INDUSTRIAL: HEAVY).” (Cummins Walesboro Rezoning)  
Jeff Bergman

### **IV. Other Business**

- A. Standing Committee and Liaison Reports
- B. Discussion Items:
  - 1.) State Street Corridor - Mayor Brown
  - 2.) CRC Pass Through - Mayor Brown
  - 3.) Unsafe Building Law and Additional Appropriation – Mayor Brown
- C. The next regular meeting is scheduled for **Tuesday, July 1, 2014, 6:00 p.m. in City Hall.**
- D. Adjournment



**MEMORANDUM**

**TO:** Columbus City Council Members  
**FROM:** Jeff Bergman  
**DATE:** June 10, 2014  
**RE:** *ANX-14-01 (Redwood Acquisition Annexation)*

Indiana law requires that the City Council adopt a "fiscal plan" by resolution in association with, and prior to any annexation. Please recall that the fiscal plan for the Redwood Acquisition annexation was previously included with your materials on the request. Attached are the fiscal plan resolution and a duplicate copy of the fiscal plan document, for your reference. This resolution will appear on the agenda for the June 17, 2014 Council meeting for adoption prior to the corresponding annexation ordinance.

Please feel free to contact the Planning Department with any questions you may have.

RESOLUTION NO.: \_\_\_\_\_, 2014

**A RESOLUTION ADOPTING A FISCAL PLAN  
FOR PROPERTY TO BE ANNEXED TO THE CITY OF COLUMBUS**

**To be known as the: Redwood Acquisition Annexation  
Plan Commission Case No.: ANX-14-01**

**WHEREAS**, a petition has been filed by Redwood Acquisition LLC for the annexation of certain property to the City of Columbus; and

**WHEREAS**, the petitioners represent 100% of the owners of the property subject to the request, which lies outside of, but adequately contiguous to the City of Columbus; and

**WHEREAS**, the Common Council of the City of Columbus, Indiana has paid reasonable regard to the requirements of the Indiana Code and the adopted annexation policies of the City of Columbus; and

**WHEREAS**, the City of Columbus has carefully and thoroughly considered the capital and non-capital costs of extending City services to the area proposed for annexation; and

**WHEREAS**, the City is able to provide the area proposed for annexation with municipal services in the same manner as other similar portions of the City as required by the Indiana Code.

**NOW THEREFORE BE IT RESOLVED** by the Common Council of the City of Columbus, Indiana that the Fiscal Plan for the "Redwood Acquisition" annexation attached to and made a part of this resolution is approved and adopted.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2014, at \_\_\_\_\_ o'clock \_\_\_\_\_.m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

**ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_\_ day of \_\_\_\_\_, 2014, at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

\_\_\_\_\_  
Kristen Brown  
Mayor of the City of Columbus, Indiana



# CITY OF COLUMBUS, INDIANA ANNEXATION FISCAL PLAN

## For Plan Commission Case No.: ANX-14-01 To be known as: "Redwood Acquisition"

### **Introduction:**

This Annexation Fiscal Plan, which is required by Indiana annexation law (IC 36-4-3-3.1), summarizes how the subject property meets the requirements for annexation. The Annexation Fiscal Plan also provides basic data regarding the area and describes the manner in which City of Columbus services will be extended to the subject property upon annexation.

This Annexation Fiscal Plan recognizes that the City of Columbus is a complex combination of land uses and developments, which together provide a complete community. Each land use (residential, commercial, industrial, etc.) directly results in specific receipts and costs for the City. These receipts and costs are typically calculated based on number of residents, land area, etc. However, each land use also indirectly supports the development of complimentary land uses, which also affect receipts and costs. For example, residential development promotes commercial development; and job growth promotes home construction. Therefore, the assignment of specific costs and receipts to specific developments are conceptual and intended for estimating purposes only.

### **Basic Property Information:**

Following is a summary of subject property physical data:

Location: Southwest corner of the Carr Hill Road and Morgan Willow Trace intersection (Columbus Township).

Total Size: +/- 23.67 Acres (0.037 square miles) including approximately 23.03 acres of developable property and approximately 0.64 acres of public right-of-way (Carr Hill Road).

Zoning (Existing): AP (Agriculture: Preferred)

Zoning (Proposed): RM (Residential: Multi-Family)

Land Use: Current – Agriculture / Projected – Multi-Family Residential

Population: Current - 0 / Projected – between 312 and 1,380 [based on the U.S. Census Bureau's 2012 statistic of 2.4 for average 'Persons per Household' in the City of Columbus and the proposed density (130 units) and maximum density allowed (575 units) on the 23.03 acre development site]

City Council District: The property will be assigned initially to City Council District #2.

### **Legal Requirements & Columbus Annexation Policy:**

Indiana law (IC 36-4-3-1.5) requires that, to be eligible for annexation, the external boundary of the subject property must be at least 1/8 (12.5%) contiguous with the boundary of the City (the property involved in this annexation is 42% contiguous with the boundary of the City).

Indiana law further defines three types of annexations: involuntary, voluntary, and super-voluntary. This annexation qualifies as a super-voluntary annexation (IC 36-4-3-5.1), in which 100% of the owners of land in the territory sought to be annexed have signed the annexation petition.

In 1990 the Columbus City Council adopted the following policies for annexation:

1. Subdivisions which are contiguous to the City should be a part of the City.
2. Land contiguous to the City zoned for commercial or industrial purposes should be annexed to the City before it is developed.
3. Land contiguous to the City used for commercial or industrial purposes should be a part of the City.
4. Undeveloped land required to complement the annexation of developed land and which helps provided the ability to manage growth should be a part of the City.
5. Neighborhoods which are socially, culturally, and economically tied to the City should be a part of the City.
6. The pattern of City boundaries should promote efficient provision of services by the City, the County, and other agencies.
7. Contiguous lands needed for orderly growth and implementation of the City's Comprehensive Plan should be a part of the City.
8. Contiguous lands which are likely to be developed in the relatively near future should be a part of the City.
9. Contiguous lands having the potential for health or safety problems or environmental degradation should be a part of the City and provided with City services.
10. Contiguous properties which, if annexed, would serve to equalize the tax burden for City residents should be a part of the City.

#### **Property Tax Receipts Estimate & Methodology:**

The annexation of the subject property will result in receipts to the City of Columbus through a combination of property taxes; state fund distributions, user fees, and other similar sources. This Fiscal Plan recognizes the presence of all income sources, as well as the complexity of calculating specific receipts. An estimate of property tax receipts is provided by comparing the anticipated development on the subject property with similar development within the City of Columbus. It is recognized that the estimated tax receipts represents a broadening of the City's tax base and not a direct increase in revenue due to the maximum tax levy imposed by the State of Indiana and other related factors. The estimated tax receipts are intended to provide basic information by which the general fiscal impact of the proposed annexation may be evaluated. The current property tax information for the subject property is summarized below:

Current Net Assessed Property Value (NAV): \$43,000

Current City Tax Rate (2013 payable 2014): \$1.1311 per \$100 of NAV.

City of Columbus Tax Receipts in Year 1: The City of Columbus receipts for the first year after annexation based on the current land use will be \$486.37

The estimated tax receipts at build-out are calculated by comparing the anticipated development on the subject property with the NAV per acre of similar existing locations. A review of the NAV of a wide sampling of multi-family developments in Columbus, including Applegate, Willow Glen, Stonegate, Monarch Crossing, Riverstone, and Parkview Townhomes, reveals an average NAV of \$725,790 per acre for similarly developed properties. The estimated property tax considerations at build-out are summarized below:

Build-out Net Assessed Property Value (NAV): \$16,714,943

Assumed Future City Tax Rate: \$1.1311 per \$100 of NAV.

City of Columbus Tax Receipts at Build-out: \$189,063

**Cost of Services Methodology:**

The capital services within the annexation area were evaluated to determine what, if any, new infrastructure is needed to provide services to the subject property in the same manner as those services are provided to other similar areas within the City's corporate boundaries. No capital expenditures were identified as necessary for this annexation. The subject property is currently provided with the same capital services as other agricultural uses within the City of Columbus. The installation of all necessary streets, utilities, and other infrastructure will be completed by the developer at the time the property is converted from agricultural to multi-family residential use, consistent with the policies of the City.

Non-capital services, which are delivered to the subject property without requiring installation of capital infrastructure, were assessed through consultation with the Department Head responsible for each service. Some services are already available to the subject property, and others have yet to be initiated. In each case, the services will be provided to the subject property immediately upon annexation in a manner equivalent in standard and scope to the services being provided to other areas within the City's corporate boundaries.

**Provision of Services:**

The descriptions of the City services to be provided and an estimate of cost (as calculated by each Department Head) are provided below in the form of a summary table. Following is a narrative for each service type.

1. Police: The services provided by the City of Columbus Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who are in danger of physical harm, resolution of conflicts, and the creation and maintenance of a feeling of security in the community. The Police Department is also involved in legal work and the protection of constitutional rights. Lastly, the Police Department performs traffic control, promotes civil order, and provides technical assistance to the public in the area of crime prevention.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

2. Fire: The Fire Department services include fire protection and medical emergency assistance. The services also include fire suppression, emergency response, fire prevention, fire inspection, and public education in the area of fire safety.

*The Fire Department reported no cost for the extension of non-capital services to the subject property.*

3. Sanitation / Streets / Public Transportation: The City Services Department provides refuse collection, compost, and brush clipping services. The Department also provides for the maintenance of streets at a level that ensures transportation safety and efficiency. The services provided include snow removal, street cleaning, and general maintenance. This Department provides for public transportation through the ColumBUS system. Finally, the Department provides for the maintenance of storm water drainage facilities.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

4. Sanitary Sewer / Public Water: Columbus City Utilities provides sanitary sewer and public water services, including the installation and maintenance of treatment facilities and service mains.

City Utilities Department applies a "four year revenue" rule when deciding how much ratepayer investment to make in any water or sewer extension. The Department estimates the gross revenue that would result from any proposed extension and will invest up to that amount in the extension of services. The party requesting the extension may make up the difference between the investment and the actual cost of the facilities. However, if the Utility Service Board

determines that it is in the overall good for the City of Columbus to extend services, then the "four year rule" is set aside. These projects typically include significant job creation or other large-scale economic development benefits to the community.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

5. Parks & Recreation: The Parks Department provides for the establishment, programming, and maintenance of park facilities throughout the City. The Department also provides for the scheduling and facilitation of recreational activities and other related events.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

Service Type	Capital Costs	Annual Non-Capital Costs
Police	\$0	\$0
Fire / Medic	\$0	\$0
Sanitation, Streets, & Public Transit	\$0	\$0
Sanitary Sewer & Public Water	\$0	\$0
Parks & Recreation	\$0	\$0
Animal Care & Control	\$0	\$0
Administrative Services	\$0	\$0

6. Animal Care Services: The Columbus Animal Care Department provides care, shelter, and the humane euthanization of domestic animals. They also provide regular patrol, complaint investigation, and animal emergency services.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

7. Administrative Services: The Administrative functions of the City include those provided by the Planning Department, Airport Board, Department of Community Development, City Engineer, Human Rights Commission, Mayor's Office, Personnel Department, and City Attorney. These departments provide for the general operation and organization of City government.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

8. CAMPO (Columbus Area Metropolitan Planning Organization): CAMPO is responsible for the continuing, cooperative and comprehensive transportation planning process for the Columbus Metropolitan Planning Area.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

**Methods of Financing Services & Timing:**

It is anticipated that the appropriate non-capital City services will be provided within existing and future city budgets, and that there will be little or no additional cost to the city as a result of the annexation. All capital and non-capital services are available to the subject property immediately in the same manner in which they are provided to other, similar areas within the City of Columbus.





## MEMORANDUM

**TO:** Columbus City Council Members

**FROM:** Jeff Bergman, AICP  
on behalf of the Columbus Plan Commission

**DATE:** April 29, 2014

**RE:** ANX-14-01 (*Redwood Acquisition Annexation*)  
RZ-14-01 (*Redwood Acquisition Rezoning*)

At its April 9, 2014 meeting, the Columbus Plan Commission reviewed the above referenced applications (an annexation and a rezoning request involving the same property) and forwarded both to the City Council with favorable recommendations. The Plan Commission vote on each request was 9 in favor and 0 opposed.

Redwood Acquisition is proposing that a 23.03 acre property adjacent to the City limits on the west side of Carr Hill Road, south of the intersection with Morgan Willow Trace, be annexed to the City and rezoned to RM (Residential: Multi-family). The annexation will, by State law, also include the adjacent Carr Hill Road right-of-way, making the total annexation area approximately 23.67 acres. The property is currently zoned AP (Agriculture: Preferred). The applicants proposed to build a 130 unit apartment complex on the property.

The Plan Commission favorable recommendation on the rezoning includes the following commitments:

1. A fence shall be installed along that portion of the south/southwest property line that is shared with single-family residential homes. The fence shall serve to delineate the property line and prevent trespass onto the adjacent single-family residential properties. The fence shall be installed with any development of the property and shall be complete prior to occupancy of that development.
2. Structures on the subject property shall maintain a minimum building setback of 25 feet, the setback required for a Buffer Yard Type B, from the south/southwest property line that is shared with single-family residential homes. The nearest 15 feet of the setback, as measured from the property line, shall serve as a buffer, with all existing trees in this area to either remain or be replaced (if removed during construction). Any necessary tree replacement shall occur with any development of the property and shall be complete prior to occupancy of that development.
3. A sidewalk extension, including any necessary curb ramps and signage, shall be installed to facilitate a pedestrian crossing of Carr Hill Road, north of the intersection with Morgan Willow Trace. This improvement shall be installed with any development of the property and shall be complete prior to occupancy of that development. These improvements shall comply with the specifications of the City Engineer.

The annexation request qualifies as a "voluntary annexation" and is subject to the requirements of IC 36-4-3-5.1. Based on the requirements of the Indiana Code for the annexation request the schedule for the consideration of both of these items will be as follows:



1. Annexation Ordinance Public Hearing / Rezoning First Reading:  
*May 7, 2014 Council Meeting*
2. Adoption of Annexation Fiscal Plan Resolution and Ordinance / Rezoning Second Reading:  
*June 3, 2014 Council Meeting*
4. 30-day Annexation Waiting Period  
*Ends on approximately July 5, 2014*

Several members of the public spoke on these requests at the February 12 and April 9 Plan Commission meetings. Those who spoke included (1) residential neighbors to the southwest who were concerned about buffering the apartment site from their properties and fencing to prevent accidental trespass and (2) farmers of the ground to the east concerned about the storm water drainage conditions in this area. The rezoning commitments regarding fencing and buffering are intended to address the concerns of the residential neighbors. The Plan Commission concluded that the drainage issues were not specific to this property, but rather a problem in this area of the community in general. They noted that any development on the subject property would be required to meet the City's storm water management regulations.

These annexation and rezoning requests are two completely separate actions and should be voted on as such by the City Council. The supporting materials for these requests have been combined for the sake of efficiency. The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the annexation,
2. the annexation fiscal plan,
3. the resolution certifying the action of the Plan Commission on the annexation,
4. the proposed ordinance approving the rezoning,
5. the resolution certifying the action of the Plan Commission on the rezoning,
6. a copy of the Planning Department staff report provided for the April 9 Plan Commission meeting,
7. a location map showing the site in relation to the current City limits and surrounding zoning, and
8. a conceptual plan of the proposed development provided by the applicant.

Please feel free to contact me if you have any questions regarding this matter.

**ORDINANCE NO.: \_\_\_\_\_, 2014**

**AN ORDINANCE ANNEXING AND DECLARING CERTAIN TERRITORY  
TO BE A PART OF THE CITY OF COLUMBUS, INDIANA**

**To be known as the: Redwood Acquisition Annexation  
Plan Commission Case No.: ANX-14-01**

**WHEREAS**, a petition has been filed by Redwood Acquisition LLC for the annexation of the property described by Section 1 below; and

**WHEREAS**, the petitioners represent 100% of the owners of the property subject to the request, which lies outside of, but adequately contiguous to the City of Columbus; and

**WHEREAS**, the Columbus Plan Commission has, on April 9, 2014, reviewed the request for annexation and forwarded a favorable recommendation to the Common Council; and

**WHEREAS**, the Common Council of the City of Columbus, Indiana has paid reasonable regard to the requirements of the Indiana Code and the adopted annexation policies of the City of Columbus.

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Columbus, Indiana, as follows:

**SECTION 1: Property Annexed**

The following described property, including a total of +/- 23.67 acres, is annexed to and declared to be part of the City of Columbus, Indiana:

*Lot 2 in Charwood, as per plat thereof recorded September 15, 1995 as Instrument No. 93-9093 in Plat Book Q, page 93A in the Office of the Recorder of Bartholomew County, Indiana.*

**EXCEPT:**

*That part of Lot 2 in Charwood, as per plat thereof recorded September 15, 1995 as Instrument No. 93-9093 in Plat Book Q, page 93A in the Office of the Recorder of Bartholomew County, Indiana, more particularly described as follows:*

*Beginning at the Southeast corner of said Lot 2; thence South 89 degrees 27 minutes 47 seconds West along the south line thereof a distance of 233.63 feet; thence North 74 degrees 14 minutes 32 seconds East a distance of 177.00 feet; thence North 00 degrees 32 minutes 13 seconds West parallel with the East line of said Lot 2 a distance of 23.53 feet; thence North 89 degrees 27 minutes 47 seconds East parallel with the south line of said Lot 2 a distance of 62.84 feet to the East line of said Lot 2; thence South 00 degrees 32 minutes 13 seconds East along said East line of Lot 2 a distance of 70.00 feet to the Point of Beginning. Containing 0.192 acres, more or less.*

**AND:**

*All portions of the right-of-way of Carr Hill Road adjacent to the above referenced Lot 2, minus the noted exception.*

**SECTION 2: Common Council District**

Upon the effective date of this ordinance the property described by Section 1 shall be included in the 2nd Councilmanic District of the City of Columbus, Indiana. The property may, at some future time, be placed in a different Councilmanic District or Districts in accordance with redistricting completed in accordance with Indiana law.

### **SECTION 3: Repealer**

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

### **SECTION 4: Severability**

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

### **SECTION 5: Effective Date**

This ordinance shall be effective after publication of its adoption, as provided in Indiana law.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2014, at \_\_\_\_\_ o'clock \_\_\_\_\_.m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

### **ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_\_ day of \_\_\_\_\_, 2014, at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

\_\_\_\_\_  
Kristen Brown  
Mayor of the City of Columbus, Indiana

# **CITY OF COLUMBUS, INDIANA ANNEXATION FISCAL PLAN**

## **For Plan Commission Case No.: ANX-14-01 To be known as: "Redwood Acquisition"**

### **Introduction:**

This Annexation Fiscal Plan, which is required by Indiana annexation law (IC 36-4-3-3.1), summarizes how the subject property meets the requirements for annexation. The Annexation Fiscal Plan also provides basic data regarding the area and describes the manner in which City of Columbus services will be extended to the subject property upon annexation.

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### **Basic Property Information:**

Following is a summary of subject property physical data:

Location: Southwest corner of the Carr Hill Road and Morgan Willow Trace intersection (Columbus Township).

Total Size: +/- 23.67 Acres (0.037 square miles) including approximately 23.03 acres of developable property and approximately 0.64 acres of public right-of-way (Carr Hill Road).

Zoning (Existing): AP (Agriculture: Preferred)

Zoning (Proposed): RM (Residential: Multi-Family)

Land Use: Current – Agriculture / Projected – Multi-Family Residential

Population: Current - 0 / Projected – between 312 and 1,380 [based on the U.S. Census Bureau's 2012 statistic of 2.4 for average 'Persons per Household' in the City of Columbus and the proposed density (130 units) and maximum density allowed (575 units) on the 23.03 acre development site]

City Council District: The property will be assigned initially to City Council District #2.

### **Legal Requirements & Columbus Annexation Policy:**

Indiana law (IC 36-4-3-1.5) requires that, to be eligible for annexation, the external boundary of the subject property must be at least 1/8 (12.5%) contiguous with the boundary of the City (the property involved in this annexation is 42% contiguous with the boundary of the City).

Indiana law further defines three types of annexations: involuntary, voluntary, and super-voluntary. This annexation qualifies as a super-voluntary annexation (IC 36-4-3-5.1), in which 100% of the owners of land in the territory sought to be annexed have signed the annexation petition.

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1. Subdivisions which are contiguous to the City should be a part of the City.
2. Land contiguous to the City zoned for commercial or industrial purposes should be annexed to the City before it is developed.
3. Land contiguous to the City used for commercial or industrial purposes should be a part of the City.
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5. Neighborhoods which are socially, culturally, and economically tied to the City should be a part of the City.
6. The pattern of City boundaries should promote efficient provision of services by the City, the County, and other agencies.
7. Contiguous lands needed for orderly growth and implementation of the City's Comprehensive Plan should be a part of the City.
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10. Contiguous properties which, if annexed, would serve to equalize the tax burden for City residents should be a part of the City.

#### **Property Tax Receipts Estimate & Methodology:**

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Current Net Assessed Property Value (NAV): \$43,000

Current City Tax Rate (2013 payable 2014): \$1.1311 per \$100 of NAV.

City of Columbus Tax Receipts in Year 1: The City of Columbus receipts for the first year after annexation based on the current land use will be \$486.37

The estimated tax receipts at build-out are calculated by comparing the anticipated development on the subject property with the NAV per acre of similar existing locations. A review of the NAV of a wide sampling of multi-family developments in Columbus, including Applegate, Willow Glen, Stonegate, Monarch Crossing, Riverstone, and Parkview Townhomes, reveals an average NAV of \$725,790 per acre for similarly developed properties. The estimated property tax considerations at build-out are summarized below:

Build-out Net Assessed Property Value (NAV): \$16,714,943

Assumed Future City Tax Rate: \$1.1311 per \$100 of NAV.

City of Columbus Tax Receipts at Build-out: \$189,063

**Cost of Services Methodology:**

The capital services within the annexation area were evaluated to determine what, if any, new infrastructure is needed to provide services to the subject property in the same manner as those services are provided to other similar areas within the City's corporate boundaries. No capital expenditures were identified as necessary for this annexation. The subject property is currently provided with the same capital services as other agricultural uses within the City of Columbus. The installation of all necessary streets, utilities, and other infrastructure will be completed by the developer at the time the property is converted from agricultural to multi-family residential use, consistent with the policies of the City.

Non-capital services, which are delivered to the subject property without requiring installation of capital infrastructure, were assessed through consultation with the Department Head responsible for each service. Some services are already available to the subject property, and others have yet to be initiated. In each case, the services will be provided to the subject property immediately upon annexation in a manner equivalent in standard and scope to the services being provided to other areas within the City's corporate boundaries.

**Provision of Services:**

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1. Police: The services provided by the City of Columbus Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who are in danger of physical harm, resolution of conflicts, and the creation and maintenance of a feeling of security in the community. The Police Department is also involved in legal work and the protection of constitutional rights. Lastly, the Police Department performs traffic control, promotes civil order, and provides technical assistance to the public in the area of crime prevention.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

2. Fire: The Fire Department services include fire protection and medical emergency assistance. The services also include fire suppression, emergency response, fire prevention, fire inspection, and public education in the area of fire safety.

*The Fire Department reported no cost for the extension of non-capital services to the subject property.*

3. Sanitation / Streets / Public Transportation: The City Services Department provides refuse collection, compost, and brush clipping services. The Department also provides for the maintenance of streets at a level that ensures transportation safety and efficiency. The services provided include snow removal, street cleaning, and general maintenance. This Department provides for public transportation through the ColumBUS system. Finally, the Department provides for the maintenance of storm water drainage facilities.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

4. Sanitary Sewer / Public Water: Columbus City Utilities provides sanitary sewer and public water services, including the installation and maintenance of treatment facilities and service mains.

City Utilities Department applies a "four year revenue" rule when deciding how much ratepayer investment to make in any water or sewer extension. The Department estimates the gross revenue that would result from any proposed extension and will invest up to that amount in the extension of services. The party requesting the extension may make up the difference between the investment and the actual cost of the facilities. However, if the Utility Service Board



determines that it is in the overall good for the City of Columbus to extend services, then the "four year rule" is set aside. These projects typically include significant job creation or other large-scale economic development benefits to the community.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

5. Parks & Recreation: The Parks Department provides for the establishment, programming, and maintenance of park facilities throughout the City. The Department also provides for the scheduling and facilitation of recreational activities and other related events.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

Service Type	Capital Costs	Annual Non-Capital Costs
Police	\$0	\$0
Fire / Medic	\$0	\$0
Sanitation, Streets, & Public Transit	\$0	\$0
Sanitary Sewer & Public Water	\$0	\$0
Parks & Recreation	\$0	\$0
Animal Care & Control	\$0	\$0
Administrative Services	\$0	\$0

6. Animal Care Services: The Columbus Animal Care Department provides care, shelter, and the humane euthanization of domestic animals. They also provide regular patrol, complaint investigation, and animal emergency services.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

7. Administrative Services: The Administrative functions of the City include those provided by the Planning Department, Airport Board, Department of Community Development, City Engineer, Human Rights Commission, Mayor's Office, Personnel Department, and City Attorney. These departments provide for the general operation and organization of City government.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

8. CAMPO (Columbus Area Metropolitan Planning Organization): CAMPO is responsible for the continuing, cooperative and comprehensive transportation planning process for the Columbus Metropolitan Planning Area.

*No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.*

**Methods of Financing Services & Timing:**

It is anticipated that the appropriate non-capital City services will be provided within existing and future city budgets, and that there will be little or no additional cost to the city as a result of the annexation. All capital and non-capital services are available to the subject property immediately in the same manner in which they are provided to other, similar areas within the City of Columbus.

**RESOLUTION: ANX-14-01**

**of the City of Columbus, Indiana Plan Commission**

regarding

**Case number ANX-14-01 (Redwood Acquisition LLC),  
a proposal to annex +/-23.67 acres to the City of Columbus**

**WHEREAS**, the Plan Commission has received the application referenced above from Redwood Acquisition LLC, with the permission of Robert & Charlene Dalmbert; and

**WHEREAS**, the applicant(s) represent 100% of the property owners involved in the annexation request, which meets the requirements of IC 36-4-3-5.1 for voluntary annexation, and

**WHEREAS**, the Plan Commission did, on April 9, 2014, review the annexation request; and

**WHEREAS**, the Plan Commission did pay reasonable regard to the requirements of the Indiana Code and the adopted annexation policies of the City of Columbus; and

**WHEREAS**, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

**NOW THEREFORE BE IT RESOLVED**, by the Plan Commission of the City of Columbus, Indiana, as follows:

The annexation of the property subject to the application (approximately 23.67 acres located on the west side of Carr Hill Road, south of the intersection with Morgan Willow Trace) is forwarded to the Common Council with a favorable recommendation.

**ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 9<sup>th</sup> DAY OF APRIL, 2014 BY A VOTE OF 9 IN FAVOR AND 0 OPPOSED.**

\_\_\_\_\_  
Roger Lang, President

**ATTEST:**

\_\_\_\_\_  
David L. Fisher, Secretary

ORDINANCE NO.: \_\_\_\_\_, 2014

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY  
FROM "AP" (AGRICULTURE: PREFERRED)  
TO "RMc" (RESIDENTIAL: MULTI-FAMILY WITH COMMITMENTS)**

**To be known as the: Redwood Acquisition Rezoning  
Plan Commission Case No.: RZ-14-01**

**WHEREAS**, this rezoning was requested by Redwood Acquisition and includes the consent of all owners of the subject property; and

**WHEREAS**, the Columbus Plan Commission did, on April 9, 2014, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

**WHEREAS**, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Columbus, Indiana, as follows:

**SECTION 1: Official Zoning Map**

The zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed from "AP" (Agriculture: Preferred) to "RMc" (Residential: Multi-family with commitments):

*Lot 2 in Charwood, as per plat thereof recorded September 15, 1995 as Instrument No. 93-9093 in Plat Book Q, page 93A in the Office of the Recorder of Bartholomew County, Indiana.*

**EXCEPT:**

*That part of Lot 2 in Charwood, as per plat thereof recorded September 15, 1995 as Instrument No. 93-9093 in Plat Book Q, page 93A in the Office of the Recorder of Bartholomew County, Indiana, more particularly described as follows:*

*Beginning at the Southeast corner of said Lot 2; thence South 89 degrees 27 minutes 47 seconds West along the south line thereof a distance of 233.63 feet; thence North 74 degrees 14 minutes 32 seconds East a distance of 177.00 feet; thence North 00 degrees 32 minutes 13 seconds West parallel with the East line of said Lot 2 a distance of 23.53 feet; thence North 89 degrees 27 minutes 47 seconds East parallel with the south line of said Lot 2 a distance of 62.84 feet to the East line of said Lot 2; thence South 00 degrees 32 minutes 13 seconds East along said East line of Lot 2 a distance of 70.00 feet to the Point of Beginning. Containing 0.192 acres, more or less.*

**SECTION 2: Commitment(s)**

The use and development of the subject property shall be subject to the following commitments:

1. A fence shall be installed along that portion of the south/southwest property line that is shared with single-family residential homes. The fence shall serve to delineate the property line and prevent trespass onto the adjacent single-family residential properties. The fence shall be installed with any development of the property and shall be complete prior to occupancy of that development.

2. Structures on the subject property shall maintain a minimum building setback of 25 feet, the setback required for a Buffer Yard Type B, from the south/southwest property line that is shared with single-family residential homes. The nearest 15 feet of the setback, as measured from the property line, shall serve as a buffer, with all existing trees in this area to either remain or be replaced (if removed during construction). Any necessary tree replacement shall occur with any development of the property and shall be complete prior to occupancy of that development.
3. A sidewalk extension, including any necessary curb ramps and signage, shall be installed to facilitate a pedestrian crossing of Carr Hill Road, north of the intersection with Morgan Willow Trace. This improvement shall be installed with any development of the property and shall be complete prior to occupancy of that development. These improvements shall comply with the specifications of the City Engineer.

### **SECTION 3: Repealer**

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

### **SECTION 4: Severability**

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the Ordinance, or the application of such provision to other circumstances, shall be unaffected.

### **SECTION 5: Effective Date**

After its adoption, this ordinance shall be effective upon and after the date and time that companion ordinance \_\_\_\_, 2014 annexing the subject property to the City of Columbus is filed and recorded.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock \_\_\_\_\_.m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

### **ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

\_\_\_\_\_  
Kristen Brown  
Mayor of the City of Columbus, Indiana

**RESOLUTION: RZ-14-01**

**of the City of Columbus, Indiana Plan Commission**

regarding  
**Case number RZ-14-01**  
**(Redwood Acquisition Rezoning),**  
**a proposal to rezone +/-23.03 acres from**  
**AP (Agriculture: Preferred) to RM (Residential: Multi-family)**

**WHEREAS**, the Plan Commission has received the application referenced above from Redwood Acquisition; and

**WHEREAS**, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

**WHEREAS**, the Plan Commission did, on April 9, 2014, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

**WHEREAS**, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

**WHEREAS**, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

**NOW THEREFORE BE IT RESOLVED**, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The rezoning of the property subject to the application (approximately 23.03 acres located on the west side of Carr Hill Road, south of the intersection with Morgan Willow Trace) is forwarded to the Common Council with a favorable recommendation. That recommendation includes the following commitments:
  - a) A fence shall be installed along that portion of the south/southwest property line that is shared with single-family residential homes. The fence shall serve to delineate the property line and prevent trespass onto the adjacent single-family residential properties. The fence shall be installed with any development of the property and shall be complete prior to occupancy of that development.
  - b) Structures on the subject property shall maintain a minimum building setback of 25 feet, the setback required for a Buffer Yard Type B, from the south/southwest property line that is shared with single-family residential homes. The nearest 15 feet of the setback, as measured from the property line, shall serve as a buffer, with all existing trees in this area to either remain or be replaced (if removed during construction). Any necessary tree replacement shall occur with any development of the property and shall be complete prior to occupancy of that development.
  - c) A sidewalk extension, including any necessary curb ramps and signage, shall be installed to facilitate a pedestrian crossing of Carr Hill Road, north of the intersection with Morgan Willow Trace. This improvement shall be installed with any development of the property and shall be complete prior to occupancy of that development. These improvements shall comply with the specifications of the City Engineer.
- 2) This resolution shall serve as the certification required for such ordinance amendments (rezonings) by IC 36-7-4-605.



ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 9<sup>th</sup> DAY OF APRIL,  
2014 BY A VOTE OF 9 IN FAVOR AND 0 OPPOSED.

\_\_\_\_\_  
Roger Lang, President

ATTEST:

\_\_\_\_\_  
David L. Fisher, Secretary



## STAFF REPORT

### CITY OF COLUMBUS PLAN COMMISSION (Updated – April 9, 2014 Meeting)

**Docket No. / Project Title:** ANX-14-01 / RZ-14-01 (Redwood Acquisition)  
**Staff:** Emilie Pinkston  
  
**Applicant:** Redwood Acquisition, LLC  
**Property Size:** 23.03 Acres  
**Current Zoning:** AP (Agriculture: Preferred)  
**Proposed Zoning:** RM (Residential: Multi-Family)  
**Location:** Southwest corner of the Carr Hill Road and Morgan Willow Trace intersection, in Columbus Township

#### Background Summary:

The applicant has indicated that the proposed annexation and re-zoning is for the purpose of developing a multi-family residential apartment complex consisting of multiple four to eight unit apartment buildings with a total of 130 units. This request was continued from the February 12, 2014 and March 12, 2014 Plan Commission meetings to allow the petitioners time to address drainage concerns.

#### Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application:

1. Is the property a logical and appropriate addition to the City of Columbus?
2. Is multi-family development, particularly the density permitted in the RM zoning district, appropriate at this location?
3. Should a landscape buffer and/or fence be required along the southwest property line to delineate the property line and prevent trespass onto the residential properties to the south and southwest?
4. Should the petitioners be required to improve the Carr Hill Road and Morgan Willow Trace intersection as described in the City of Columbus Bicycle and Pedestrian Plan?

#### Preliminary Staff Recommendation (Annexation):

Favorable recommendation to the City Council. The subject property is 40.7% contiguous with the City of Columbus and represents orderly development. The location of the subject property will facilitate efficient provision of city services any future development.

#### Preliminary Staff Recommendation (Re-zoning):

Favorable recommendation to the City Council with the following conditions:

1. A fence with a minimum height of 6 feet shall be installed along the south/southwest property line to delineate the property line and prevent trespass onto the single-family residential properties to the south and southwest.
2. Structures on the subject property shall maintain a minimum building setback of 25 feet, the setback required in the Buffer Yard Type B, from the southwest property line. The nearest 15 feet of the setback, as measured from the property line, shall serve as a buffer, with all existing trees in this area to remain, and no construction activity of any kind to occur (with the exception of the required fence.)

3. The applicants shall install the sidewalk extension, including any necessary signage, to facilitate a pedestrian crossing at Carr Hill Road north of the intersection with Morgan Willow Trace. This improvement shall be installed as part of the development of the property and be completed prior to occupancy of that development.

### **Plan Commission Options:**

Annexation and re-zoning are two separate requests and should be decided separately. In reviewing requests for annexation & re-zoning the Plan Commission may (1) forward a favorable recommendation on both or either to the City Council, (2) forward an unfavorable recommendation on both or either to the City Council, (3) forward both or either to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may recommend that conditions or commitments be attached to the re-zoning request. The City Council makes all final decisions regarding annexation & re-zoning applications.

### **Considerations / Decision Criteria (Annexation):**

Indiana law requires that, to be eligible for annexation, the external boundary of the area must be at least 12.5% contiguous with the boundary of the City (the property involved in this annexation is 40.7% contiguous with the boundary of the City). In 1990 the City Council adopted the following policies for annexation:

1. Subdivisions which are contiguous to the City should be a part of the City.
2. Land contiguous to the City zoned for commercial or industrial purposes should be annexed to the City before it is developed.
3. Land contiguous to the City used for commercial or industrial purposes should be a part of the City.
4. Undeveloped land required to complement the annexation of developed land and which helps provided the ability to manage growth should be a part of the City.
5. Neighborhoods which are socially, culturally, and economically tied to the City should be a part of the City.
6. The pattern of City boundaries should promote efficient provision of services by the City, the County, and other agencies.
7. Contiguous lands needed for orderly growth and implementation of the City's Comprehensive Plan should be a part of the City.
8. Contiguous lands which are likely to be developed in the relatively near future should be a part of the City.
9. Contiguous lands having the potential for health or safety problems or environmental degradation should be a part of the City and provided with City services.
10. Contiguous properties which, if annexed, would serve to equalize the tax burden for City residents should be a part of the City.

### **Decision Criteria (Re-Zoning):**

Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a re-zoning:

#### **The Comprehensive Plan.**

*Preliminary Staff Comments:* The Comprehensive Plan has identified the future land use of this location as residential. The property's development as multi-family residential is consistent with the Plan's encouragement for orderly growth and infill development. The subject property is in close proximity to a number of commercial goods and services along Carr Hill Road and Jonathan Moore Pike, and it is less than half a mile from the People Trail. The subject property is surrounded by development on the north and south; therefore, the development of the subject property is orderly and will facilitate efficient provision of city services.

#### **The current conditions and the character of current structures and uses in each district.**

*Preliminary Staff Comments:* The subject property is nestled between multi-family development and low-density, single-family residential to the south and commercial development, including large retention ponds, to the north. The property immediately east of the subject property is agriculture. The proposed

multi-family development is consistent with the multi-family development to the south, and high density development is appropriate in this location due to its proximity to a number of commercial goods and services. Multi-family development at this location; however, will be in contrast to the low-density, highly wooded, single-family properties to the south and southwest.

**The most desirable use for which the land in each district is adapted.**

*Preliminary Staff Comments:* The Comprehensive Plan identifies the future use of this land, and the areas to the east, south, and west, as residential. The proximity to commercial goods and services makes this property appropriate for multi-family development. The subject property is also located in Flood Zone AE (100-year floodway fringe), which serves as a natural holding area for flood waters from the East Fork of the White River and the Driftwood River.

**The conservation of property values throughout the jurisdiction of the City of Columbus.**

*Preliminary Staff Comments:* The property values of properties throughout the jurisdiction of the City of Columbus, generally, will not be negatively impacted if the proposed rezoning is approved. Further, the property values of nearby properties are not expected to be affected in an adverse manner. A multi-family development is already present in the area.

**Responsible growth and development.**

*Preliminary Staff Comments:* Rezoning the subject property to RM (Residential: Multi-Family) represents responsible growth and development. The subject property is adjacent to a large commercial area, making it appropriate for the dense development associated with multi-family residential development. The property is immediately accessible by Carr Hill Road and has easy access to city utilities.

<b>Current Property Information:</b>	
<b>Existing Land Use:</b>	Agriculture
<b>Existing Site Features:</b>	Agricultural field and a narrow, wooded strip along the southwest perimeter of the property.
<b>Flood Hazards:</b>	The subject property is almost entirely located within Flood Zone AE (100-year floodway fringe). A very small portion of the northwest corner of the property is located within Flood Zone X (500-year floodway fringe).
<b>Special Circumstances:</b> (Airport Hazard Area, Wellfield Protection Area, etc.)	None
<b>Vehicle Access:</b>	The subject property is accessed from Carr Hill Road (Suburban, Residential Collector Street). Morgan Willow Trace (Suburban, Local Street) tees into Carr Hill Road near the north property line of the subject property.

<b>Surrounding Zoning and Land Use:</b>		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	PUD (Planned Unit Development)	Commercial (Menards, Sam's Club)

<b>South:</b>	PUD (Planned Unit Development) AP (Agriculture: Preferred)	Multi-Family Residential (Charwood Suites) Single-Family Residential
<b>East:</b>	AP (Agriculture: Preferred)	Agriculture
<b>West:</b>	AP (Agriculture: Preferred)	Single-Family Residential

<b>Zoning District Summary (Existing / Proposed):</b>		
	<b>Existing Zoning: AP</b>	<b>Proposed Zoning: RM</b>
<b>Zoning District Intent:</b>	<p>This district is intended to provide an area suitable for agriculture and agriculture-related uses. This district is further intended to preserve the viability of agricultural operations, and limit non-agricultural development in areas with minimal, incompatible infrastructure.</p> <p>Residential development in this zoning district is intended to be limited. In no instance shall this zoning district be considered a large-lot residential zone. This district is further intended to protect the use and value of both agricultural and non-agricultural property within the community.</p>	<p>This district is intended to provide areas for a variety of multi-family uses, such as two-family dwellings, apartment homes and complexes, and condominiums in areas with compatible infrastructure and services. Development in this zoning district should be served by sewer and water utilities. This district should be used in limited locations with highly developed infrastructure, immediate access to Arterial or Collector roads, and direct connections to public open space and convenience goods. This district may be used to provide a transition from regional commercial areas to moderate density single-family residences. In jurisdiction of the City of Columbus this district is intended for use only within the City limits.</p>

<b>Permitted Uses:</b>	<ul style="list-style-type: none"> <li>• Farm (General)</li> <li>• Single-Family Dwelling</li> <li>• Nature Preserve / Conservation Area</li> </ul>	<ul style="list-style-type: none"> <li>• Multi-Family Dwellings</li> <li>• Two-Family Dwellings</li> <li>• Nursing Home / Assisted Living Facility</li> <li>• Retirement Facility</li> <li>• Nature Preserve / Conservation Area</li> </ul>
<b>Water and Sewer Service:</b>	Not Required	Required



<b>Lot and/or Density Requirements:</b>	<b>Minimum Lot Area:</b> 1 acre or as required to provide two viable septic system sites <b>Maximum Lot Coverage:</b> Agricultural Structures: None Non-Agricultural Structures: 35%	<b>Minimum Lot Area:</b> Non-Residential Use: 5,000 sq. ft. Residential Use: 1,500 sq. ft. per dwelling unit (with a minimum of 6,000 square feet if fewer than 4 units) <b>Maximum Lot Coverage:</b> 65% <b>Maximum Gross Density:</b> 25 Dwelling Units per Acre
<b>Setbacks Required:</b> Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.	<b>Side and Rear Yard Setback:</b> Agricultural Structure: 30 feet Primary Structure: 30 feet* Accessory Structure: 15 feet* *5 feet on lots of 2 acres or less where the applicable side or rear lot line adjoins a property of 2 acres or less <b>Front Yard Setback (for Carr Hill Road, a Collector Street):</b> Collector Street: 25 feet	<b>Side Yard Setback:</b> Two-Family Structure: 5 feet Multi-Family Structure: 10 feet Non-Residential Structure: 10 feet Accessory Structure: 5 feet <b>Rear Yard Setback:</b> Primary Structure: 10 feet Non-Residential Structure: 10 feet Accessory Structure: 5 feet <b>Front Yard Setback (for Carr Hill Road, a Collector Street):</b> Collector Street: 10 feet* *25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structures
<b>Height Restrictions:</b>	<b>Primary Structure:</b> Agricultural Structure: None Primary Structure: 40 feet <b>Accessory Structure:</b> 35 feet	<b>Primary Structure:</b> 50 feet <b>Accessory Structure:</b> 25 feet
<b>Floor Area Requirements:</b>	<b>Minimum Living Area per Dwelling:</b> 1,000 square feet	<b>Minimum Living Area per Dwelling:</b> Two-Family: 1,000 square feet Multi-Family: 500 square feet



<b>Signs (for the current and proposed uses):</b>	<b>Wall Signs:</b> Not permitted <b>Freestanding Signs:</b> Not permitted	<b>Wall Signs:</b> Not permitted <b>Freestanding Signs:</b> Freestanding signs are not permitted for multi-family residential developments. Instead, these developments are permitted to install two Development Entry Signs per public street access point. Each Development Entry Sign can have a maximum area of 32 square feet and a maximum overall height of 6 feet.
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<b>Interdepartmental Review:</b>	
<b>City Engineering:</b>	<p>The AP [zoning] district is intended to provide an area suitable for agriculture and agriculture-related uses and preserve the viability of agricultural operations. This site [if it retained its AP zoning] can support one dwelling unit which could generate approximately 9.5 trips per day entering and leaving the site daily.</p> <p>The RM [zoning] district allows a maximum gross density of 25 dwellings per acre, or 580 dwellings potentially on this site. 580 dwellings in a multi-family development will potentially generate 3,586 trips per day entering and leaving the site. The petitioner has expressed a desire to rezone the site to RM and construct 128 dwelling units, which could generate between 780 and 1575 trips per day entering and leaving the site. Assuming all roads developed on site remain private, the main impact [of this development] is to Carr Hill Road.</p> <p>These estimates are based on ITE trip generation studies with 50% of the trips entering and 50% leaving on an average weekday. Dwellings that are above average in cost or size, or are farther away from business districts, possible characteristics of a development on this site, tend to have higher trip generation numbers.</p> <p>In respect to the drainage report that was submitted to the Planning Department on March 4, 2014, the City Engineer had the following comments: I, as well as Steve Rucker, have reviewed the preliminary drainage report for this proposed development. I believe American Structurepoint and Redwood Acquisition are on the right track to comply with the City's Stormwater Management Ordinance requirements as well as all other state and federal laws governing stormwater management. I met with a representative from American Structurepoint, a representative from Redwood Acquisition, and parties concerned about this development regarding stormwater management. I believe both Redwood Acquisition and American Structurepoint are aware of the concerns as they move forward. The Plan Commission can act as they so choose on both the annexation request and the rezoning request at the next meeting.</p>
<b>City Utilities:</b>	No comments received.
<b>Parks Department:</b>	No comments received.

<b>MPO:</b>	No comments received.
<b>Police Department:</b>	No comments received.
<b>Fire Department:</b>	The Fire Department has no issues with the rezoning or annexation as long as the development [meets the standards of the Fire Code for access and/or sprinkler systems.] Per the Fire Code, multi-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate access roads. However, projects having up to 200 dwelling units may instead have a single approved access road when all buildings are equipped with approved automatic sprinkler systems.

### **History of this Location:**

The relevant history of this property includes the following:

1. In March 2002, the City of Columbus-Bartholomew County Planning Department issued a Zoning Compliance Certificate (C/ZC-4-02-2) that allowed Charwood Suites, the extended stay hotel on the property immediately south of the subject property, to install an off-premise freestanding sign on the subject property. The sign has an area of 144 square feet (12 feet by 12 feet) and has an overall height of 35 feet.
2. In 2005, an easement, by way of Instrument Number 2005-5926, was recorded on the subject property to allow the location and maintenance of the off-premise freestanding sign and a portion of Charwood Suite's retention pond. The document states that the freestanding sign and the retention pond will not be interfered with, removed, or obstructed.

### **History of this Application:**

The relevant history of this application includes the following:

1. On February 12, 2014, the City Plan Commission voted to continue this request to the March 12, 2014 Plan Commission meeting in order to allow the petitioner time to address concerns that were raised by the public during the public hearing, particularly in respect to drainage. Concerns of the public included the following: (1) the raising of the water table as a result of development in the area and consequently causing standing water on the adjacent farm ground, (2) the preservation of the wooded strip along the south and southwest property lines, (3) the presence of historical artifacts on the subject property, and (4) the quantity of landscaping required by the Zoning Ordinance at the time of site plan review. The public also had conflicting wishes in respect to the installation of a fence along the south and southwest property lines; this issue was unresolved. The Plan Commission directed the petitioner to provide preliminary drainage calculations to the City Engineer, and the Plan Commission requested that the City Engineer report back to the Commission regarding whether the calculations satisfy the Columbus drainage codes. The submittal deadline for the drainage calculations was February 27, 2014; however, the drainage report was not submitted to the Planning Department until March 4, 2014.
2. On March 12, 2014, the Plan Commission granted the applicant's request to continue this petition to the April 9, 2014 Plan Commission meeting. The petitioners requested the continuance to allow time for the City Engineer to review the submitted drainage report.

### **Comprehensive Plan Consideration(s):**

The Future Land Use Map indicates the future use of this property as residential.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **POLICY A-2-3:** Ensure that development takes place in a manner which allows for preservation of farmland, open space, and significant natural features whenever possible and desirable.
2. **POLICY A-2-5:** Ensure that the city considers the impacts on agriculture when new development is proposed or infrastructure extended.



3. **POLICY A-2-6:** The City Council should consider annexation proposals on a case-by-case basis within the laws of the State of Indiana and the city's adopted annexation policies. *Annexation increases taxes and increases the pressure for development. Because of requirements of Indiana law, it is sometimes necessary for the city to annex farmland in order to provide for orderly growth, but the city's annexation policies should discourage annexation of farmland except when necessary.*
4. **POLICY A-2-11:** Encourage all new development to be in scale (height, area, mass, setback, etc.) with its surroundings, determined on a neighborhood-by-neighborhood basis.
5. **POLICY A-2-13:** Encourage growth to take place at a rate that enables the city to maintain the high quality of public services.
6. **POLICY A-4-2:** Encourage infill development, and/or use of vacant parcels for projects such as parks or other amenities which complement the neighborhoods in which they are located.
7. **POLICY A-4-7:** Require new development to take place in an orderly fashion to facilitate efficient provision of services at reasonable cost.

This property is located in the western gateway area character area. The following Planning Principle(s) apply to this application:

1. Commercial development and agriculture should continue to be the dominant land uses in the area.
2. In order to reflect the importance of this area as the city's primary entry, design standards should be adopted for layout, buildings, landscaping, signs, and lighting.
3. Any additional residential development should be of a type similar to those already in the area: urban density, attached or multifamily units.
4. Any new residential development should be appropriately buffered from commercial areas, through setbacks, landscaping, and fencing.
5. Pedestrian and bicycle connections should be provided among commercial areas as well as between residential and commercial areas.

The City of Columbus Bicycle and Pedestrian Plan lists the Morgan Willow Trace and Carr Hill Road intersection as a Secondary Priority Project. The intersection improvement is intended to correct the sidewalk gap along Carr Hill Road, as the sidewalk is currently on the west side of Carr Hill Road to the south of the intersection and the east side of Carr Hill Road to the north of the intersection.

### **Planning Consideration(s):**

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

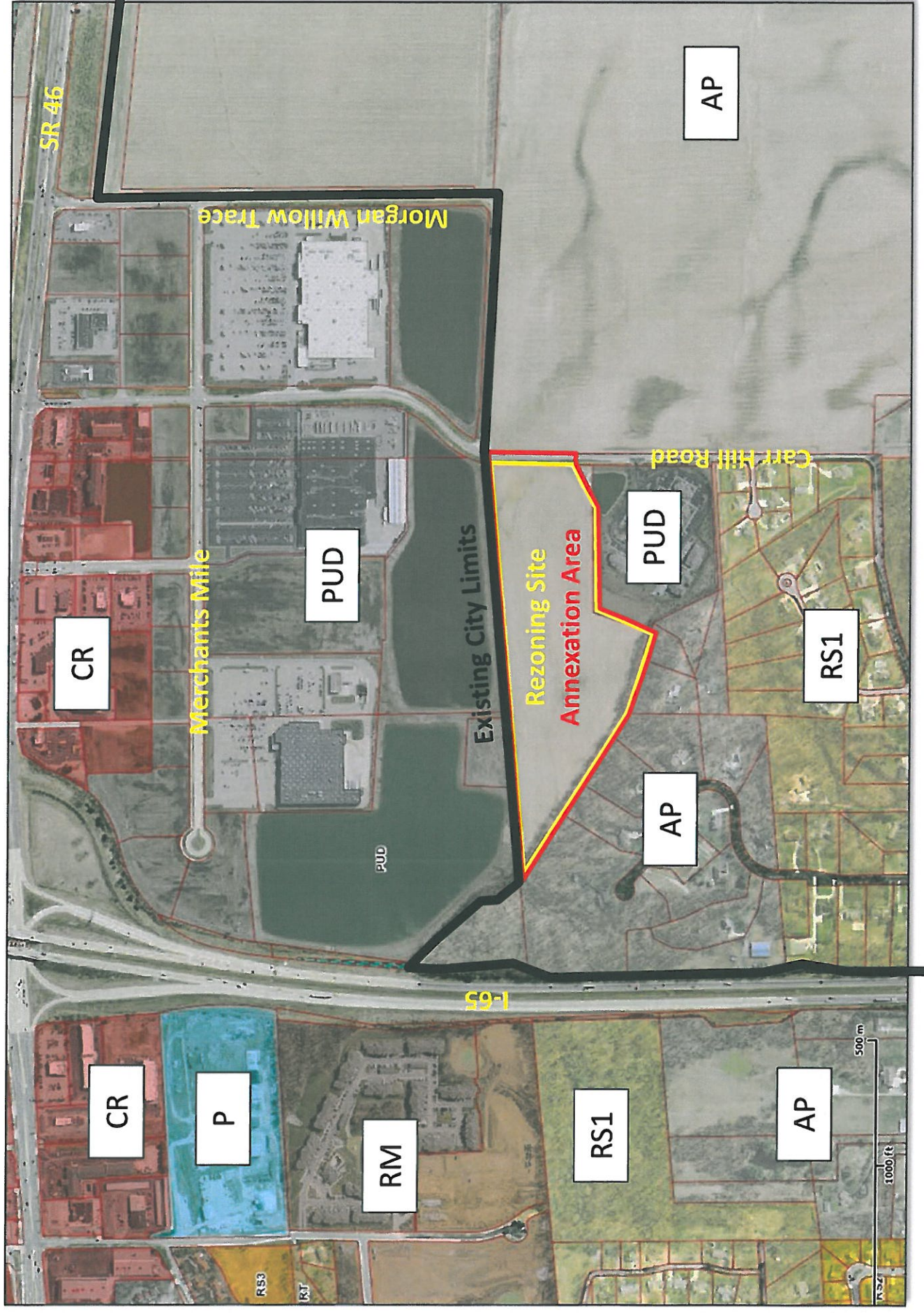
1. The petitioner proposes to develop an apartment complex consisting of multiple four to eight unit, single-story apartment buildings. The development will include approximately 130 dwelling units. Multi-family development is not permitted in the AP (Agriculture: Preferred) zoning district so the applicants are proposing to rezone the property to RM (Residential: Multi-Family).
2. The RM (Residential: Multi-Family) zoning district has a maximum gross density of 25 dwelling units per acre. If the property is successfully rezoned, the Zoning Ordinance would permit 555 multi-family dwelling units on the 23.03 acre site.
3. The subject property gains access from Carr Hill Road, which is designated as a Collector Street. According to the City of Columbus Thoroughfare Plan, collectors are intended to connect local streets with arterial streets and secondary traffic generators, such as schools and small shopping centers. The capacity of collector streets may be as much as 8,000 vehicles per day. Per the City Engineer's Office, the proposed development, with 130 apartment units, could generate between 780 and 1575 trips per day. If the site was developed to its maximum density, the development could generate approximately 3,600 trips per day.
4. The sidewalk adjacent to the subject property abruptly ends approximately 80 feet south of the north property line. If the property is successfully rezoned and the petitioners move forward with a multi-family development, the extension of the existing sidewalk to the north property line will be required by the Zoning Ordinance during site plan review.
5. Improvements to Carr Hill Road are included in both the City of Columbus' Bicycle and Pedestrian Plan and Thoroughfare Plan. The Bicycle and Pedestrian Plan lists the improvement of the Carr Hill Road and Morgan Willow Trace intersection as a secondary priority project. The project is intended to correct the sidewalk gap, through the installation of a crosswalk or other connection, between the

- sidewalk on the west side of Carr Hill Road to the south of the intersection and the sidewalk on the east side of Carr Hill Road to the north of the intersection. The Thoroughfare Plan lists the improvement of Carr Hill Road from I-65 to State Road 46 as an anticipated long-term project. Based on the classification of Carr Hill Road, the improvement will include bicycle lanes. However, due to the long-term nature of the project, this improvement is unlikely to occur in the foreseeable future.
6. In the area adjacent to the subject property, Carr Hill Road is a County Road. If the subject property is successfully annexed, the annexation will also include the right-of-way of Carr Hill Road that is adjacent to the subject property.
  7. The subject property is almost entirely located within Flood Zone AE (100-year floodway fringe). The proposed development will be required to meet the standards for development in a special flood hazard area, as described in Section 4.7 of the Zoning Ordinance. These standards include, but are not limited to, constructing the lowest floor of all structures at or above the flood protection grade.
  8. A significant difference in elevation exists between the subject property and the single-family residential properties to the southwest. The single-family residential homes are positioned approximately 55 feet higher than the southwestern edge of the subject property.
  9. The single-family residential properties immediately southwest of the subject property are zoned AP (Agriculture: Preferred). The Zoning Ordinance does not require a landscape buffer between the RM (Multi-Family Residential) and AP (Agriculture: Preferred) zoning districts. However, if the residential properties to the southwest were zoned with a typical single-family residential zoning district, such as RS1 or RS2, the Zoning Ordinance would require that the proposed development include a Buffer Yard Type B along the southwest property line. A Buffer Yard Type B includes a minimum width of 15 feet in addition to the minimum setback otherwise required, which is 10 feet. The buffer yard also requires a minimum of 65 landscaping points within every 50 linear feet of buffer yard required. When Charwood Suites received approval in 2007 (PUD-06-09 and PUD-07-02), the Plan Commission required that the developers install a 6 foot tall opaque fence along the south and southwest property lines in order to delineate the property and discourage trespassing. The subject property abuts the same residential neighborhood to the southwest.
  10. According to the U.S. Fish and Wildlife Service's National Wetlands Inventory, a freshwater emergent wetland is present on the subject property. This wetland is described as an herbaceous marsh, fen, swale or wet meadow. The wetland is shown on the site plan provided by the petitioners.
  11. An off-premise freestanding sign for Charwood Suites, the extended stay hotel located immediately south of the subject property, is located on the subject property. The freestanding sign was permitted by the Planning Department in March of 2002, and an easement was recorded in 2005 to secure the location and maintenance of the freestanding sign and a portion of the Charwood Suites' retention pond, which also encroaches onto the subject property. However, the placement of Charwood Suites' off-premise sign will not affect the ability of the petitioners to install development entry signs for the multi-family development. Freestanding signs, which are different than development entry signs, are permitted in the RM zoning district only by conditional use approval for uses that are a conditional use in the RM zoning district. Because multi-family development is a permitted use in the RM zoning district, the freestanding sign regulations are not applicable to the proposed development. Rather, the petitioners will be permitted to install two development entry signs per public street access point. The signs cannot exceed 32 square feet in area and 6 feet in overall height. Although the presence of the Charwood Suites off-premise sign will not prevent the petitioners from installing their own development entry signs, the petitioners intend to remove the land that contains the off-premise sign from the subject property through the means of an administrative subdivision. The removed land will be added to the Charwood Suites property, located immediately south of the subject property. In preparation of this administrative subdivision, the land containing the freestanding sign and the retention pond is not included in the legal description for this request.
  12. The subject property is not served by the ColumBUS Transit System. Transit services are not available on the west side of Columbus.
  13. The nearest public parks are Harrison Ridge Park and Mill Race Park, both located approximately 1.8 miles from the subject property.
  14. The nearest commercial goods are located approximately 0.20 miles north of the subject property, along Carr Hill Road. The commercial good providers include Wal-Mart and Menards.

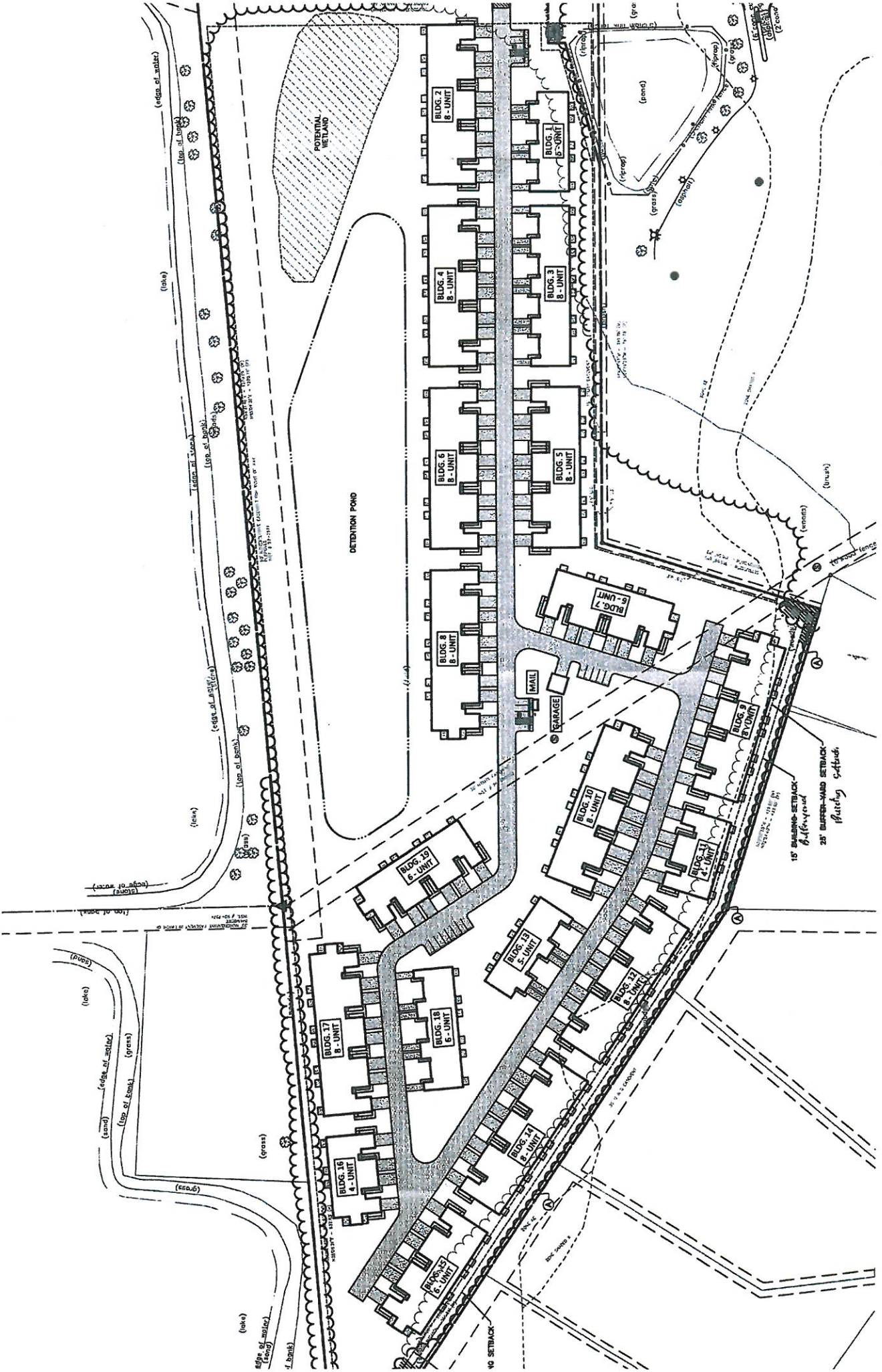


15. If the subject property is successfully annexed and rezoned, the petitioners' next step will be to submit a Zoning Compliance Certificate Application to the Planning Department for a detailed site plan review of the multi-family development.
16. At the February 12, 2014 Plan Commission meeting, the public raised a number of questions about the proposed development. The following notes address the comments of the public.
- The subject property includes a wooded strip along its south/southwest property line. This strip ranges between 35 feet and 55 feet in width on the subject property, according to the ALTA topographic survey provided by the applicant. Generally, the wooded strip does not extend far beyond the steep slope, which extends from the properties immediately to the south/southwest of the subject property. However, the subject property continues to slope, gradually, from the south/southwest property line for several hundred feet. The wooded area does extend into the gradually sloping area.
  - According to Indiana Code (IC 14-21-1-29), the developer must do the following if he uncovers an artifact or burial object while conducting site work on the subject property: (1) immediately cease the ground disturbing site work and (2) notify the Department of Natural Resources Division of Historic Preservation and Archaeology (DHPA) within two business days of the discovery. Upon review, the DHPA will either authorize the continuation of the ground disturbing site work, with or without conditions, or require that site work continue only in accordance with an approved plan.
  - Based on the proposed site plan, the following is an approximation of the landscaping that will be required on the subject property:
    - Area #1 (Parking Lot Public Street Frontage) – 1 large tree and 8 ornamental trees or shrubs
    - Area #2 (Parking Lot Interior) – 15 large trees and 88 shrubs
    - Area #3 (Front Setback) – 304 landscape points (approximately 12 large trees)
    - Area #4 (Lot Interior) – 2,400 points (approximately 120 ornamental trees and 160 shrubs)
17. In respect to the drainage report that was submitted to the Planning Department on March 4, 2014 by the petitioners, the City Engineer had the following comments: I, as well as Steve Rucker [Assistant City Engineer], have reviewed the preliminary drainage report for this proposed development. I believe American Structurepoint and Redwood Acquisition are on the right track to comply with the City's Stormwater Management Ordinance requirements as well as all other state and federal laws governing stormwater management. I met with a representative from American Structurepoint, a representative from Redwood Acquisition, and parties concerned about this development regarding stormwater management. I believe both Redwood Acquisition and American Structurepoint are aware of the concerns as they move forward. The Plan Commission can act as they so choose on both the annexation request and the rezoning request at the next meeting.

# Property Location & Surrounding Zoning







PROPOSED SITE LEGEND

THREE PRESERVATION AREA



3 RAIL VINYL FENCE (5' SETBACK)



DEVELOP
TOTAL 2 BDRM
SITE ACREAGE =
UNITS PER ACRE





## MEMORANDUM

**TO:** Columbus City Council Members

**FROM:** Jeff Bergman, AICP  
on behalf of the Columbus Plan Commission

**DATE:** May 27, 2014

**RE:** RZ-14-05 (*Gateway Apartments Rezoning*)

At its May 14, 2014 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 10 in favor and 0 opposed.

Gateway Apartments L.P. is the developer of a proposed apartment complex on the eastern 1/3 of the former Golden Casting Foundry property. The City Council attached two commitments to the zoning on this property when it was changed from I-3 (Industrial: Heavy) to "RMc" (Residential: Multi-family with commitments) in 2008. Those commitments are as follows:

1. A Type A buffer, as defined by the Zoning Ordinance, shall be installed and maintained on the west property line of any development of the 4.51 acre portion of the former foundry site as long as non-residential zoning is present to the west.
2. A transitional setback of 75 feet shall be provided on the west side of the 4.51 acre portion of the former foundry site, as long as non-residential zoning is present to the west.

At that time there were many unknowns about the type and design of apartments that might be constructed, what type of redevelopment might occur to the immediate west, and the environmental conditions on the entire foundry site. Gateway Apartments L.P. has indicated that the required 75 foot setback will unnecessarily burden their proposed project. They suggest that the 35 foot setback required by the current Zoning Ordinance is adequate for this property. The Zoning Ordinance requires this 35 foot setback throughout Columbus where multi-family residential zoning is adjacent to industrial zoning. Gateway Apartments L.P. has requested that the commitment regarding the 75 foot setback be removed from the property.

No members of the public spoke for or against this request at the Plan Commission public hearing.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the rezoning commitments change,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the Planning Department staff report for the May 14, 2014 Plan Commission meeting,
4. a location map, and
5. supporting material provided by the applicant.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: \_\_\_\_\_, 2014

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY  
BY AMENDING THE ZONING COMMITMENTS AT A LOCATION DESIGNATED AS  
“RMc” (RESIDENTIAL: MULTI-FAMILY WITH COMMITMENTS)**

**To be known as the: Gateway Apartments Rezoning  
Plan Commission Case No.: RZ-14-05**

**WHEREAS**, this rezoning was requested by Gateway Apartments L.P. and includes the consent of all owners of the subject property; and

**WHEREAS**, this request seeks to modify the rezoning commitments established on the subject property by Ordinance #15, 2008 passed by the Common Council of the City of Columbus on April 1, 2008; and

**WHEREAS**, the Columbus Plan Commission did, on May 14, 2014, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

**WHEREAS**, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Columbus, Indiana, as follows:

**SECTION 1: Zoning Commitments Amended**

The “RMc” (Residential: Multi-family with Commitments) zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana shall be amended to exclude the commitment that reads “A transitional setback of 75 feet shall be provided on the west side of the 4.51 acre portion of the former foundry site, as long as non-residential zoning is present to the west”:

*Lot Numbered 1 in the Golden Casting Administrative Subdivision in the City of Columbus, Bartholomew County, Indiana, recorded in Plat Book “R”, Page 197C as Instrument No. 2009-1451 in the office of the Recorder of Bartholomew County, Indiana.*

**SECTION 2: Commitment(s)**

No additional commitments are attached to this rezoning. All previous commitments unaltered by this ordinance shall remain.

**SECTION 3: Repealer**

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

**SECTION 4: Severability**

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

**SECTION 5: Effective Date**

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock \_\_\_\_\_.m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

**ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

\_\_\_\_\_  
Kristen S. Brown  
Mayor of the City of Columbus, Indiana

**RESOLUTION: RZ-14-05**

**of the City of Columbus, Indiana Plan Commission**

regarding

**Case number RZ-14-05**

**(Gateway Apartments Rezoning),**

**a proposal to amend the rezoning commitments on a +/-4.51 acre property  
designated as RMc (Residential: Multi-family with Commitments),  
effectively “rezoning” the property**

**WHEREAS**, the Plan Commission has received the application referenced above from Gateway Apartments L.P.; and

**WHEREAS**, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

**WHEREAS**, the Plan Commission did, on May 14, 2014, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

**WHEREAS**, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

**WHEREAS**, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

**NOW THEREFORE BE IT RESOLVED**, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The amending of the rezoning commitments on the property subject to the application (located at the northwest corner of the intersection of Cottage Avenue and 10<sup>th</sup> Street) to omit the requirement for a 75 foot transitional setback is forwarded to the Common Council with a favorable recommendation.
- 2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by IC 36-7-4-605.

**ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 14<sup>th</sup> DAY OF MAY 2014  
BY A VOTE OF 10 IN FAVOR AND 0 OPPOSED.**

\_\_\_\_\_  
Roger Lang, President

**ATTEST:**

\_\_\_\_\_  
David L. Fisher, Secretary





## STAFF REPORT

### CITY OF COLUMBUS PLAN COMMISSION (May 14, 2014 Meeting)

**Docket No. / Project Title:** RZ-14-05 (Gateway Apartments)  
**Staff:** Allie Keen  
**Applicant:** Gateway Apartments, L.P.  
**Property Size:** 4.51 Acres  
**Current Zoning:** RMc (Residential: Multi-Family with commitments)  
**Proposed Zoning:** RMc (Residential: Multi-Family with revised commitments)  
**Location:** Northwest corner of the intersection of 10<sup>th</sup> Street and Cottage Avenue, in the City of Columbus

#### Background Summary:

The applicant has indicated that the proposed rezoning is for the purpose of amending the previously established zoning commitments on the property. The current commitments include the following:

1. A Type A buffer, as defined by the Zoning Ordinance, shall be installed and maintained on the west property line of any development of the 4.51 acre portion of the former foundry site as long as non-residential zoning is present to the west.
2. A transitional setback of 75 feet shall be provided on the west side of the 4.51 acre portion of the former foundry site, as long as non-residential zoning is present to the west.

At this time, the applicant wishes to remove only the second commitment in regards to setback in order to construct a multi-family apartment complex on the subject property.

#### Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: Is 35 feet a sufficient building setback from the adjacent I3 (Industrial: Heavy) zoning at this location?

#### Preliminary Staff Recommendation:

Favorable recommendation to City Council.

#### Plan Commission Options:

In reviewing a request for rezoning the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may recommend that conditions or commitments be attached to the rezoning request. The City Council makes all final decisions regarding rezoning applications.

**Decision Criteria:**

Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

**The Comprehensive Plan.**

*Preliminary Staff Comments:* The Comprehensive Plan identifies the future land use of this property as being residential. The Comprehensive Plan further encourages infill development and a variety of housing types. The reduced setback enables the property to be developed as a multi-family apartment complex and the proposed 35 feet meets the current standards of the Zoning Ordinance.

**The current conditions and the character of current structures and uses in each district.**

*Preliminary Staff Comments:* The subject property is located in an urban setting where structures have generally smaller setbacks and denser development. The surrounding landuses are primarily residential with some public facilities to the north. The reduced setback will be better for the urban environment as well as meet current standards of the Zoning Ordinance. Further, a dense landscape buffer will be provided between the industrial zoned property and the subject site to further protect future residents, as well as enhance the overall appearance of the surrounding neighborhood.

**The most desirable use for which the land in each district is adapted.**

*Preliminary Staff Comments:* The property is surrounded by residences to the east and south, and the proposed development will diversify the housing options for the area. The reduced setback will be more in character with the urban setting as well as provide adequate land for development.

**The conservation of property values throughout the jurisdiction of the City of Columbus.**

*Preliminary Staff Comments:* The proposed development is considered infill development and is utilizing a blighted property, which in turn can enhance the surrounding neighborhood. The proposed reduced setback will also not have a negative impact on the immediate area because it will meet current standards with both the addition of a landscape buffer and building setback, which would be required for any multi-family residential property in the city that is adjacent to an industrial property.

**Responsible growth and development.**

*Preliminary Staff Comments:* The subject property was once a part of the former Golden Castings Foundry. The reuse of this site for non-industrial development would benefit both the immediate neighborhood and city as a whole. Further, the property is located downtown in an urban environment that encourages denser development with smaller setbacks.

<b>Current Property Information:</b>	
<b>Land Use:</b>	Vacant/Undeveloped
<b>Site Features:</b>	There are no significant site features on the subject property.
<b>Flood Hazards:</b>	There are no flood hazards present on this property.
<b>Special Circumstances:</b> (Airport Hazard Area, Wellfield Protection Area, etc.)	There are no special circumstances on this property.
<b>Vehicle Access:</b>	This property gains access from 10 <sup>th</sup> Street (Minor Arterial, Residential, Urban), Cottage Avenue (Local, Residential, Urban) and 12 <sup>th</sup> Street (Local, Commercial, Urban).

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	PUD (Planned Unit Development)	Bartholomew Consolidated School Corporation Administrative Offices United Way Building
South:	CN (Commercial Neighborhood) RE (Residential: Established)	Vacant Retail Building Single & Multi-Family Residential
East:	RE (Residential: Established) PUD (Planned Unit Development)	Single & Multi-Family Residential Bartholomew Consolidated School Corporation Parking Area
West:	I3 (Industrial: Heavy)	Vacant/Former Golden Casting Foundry

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: RM with Commitments	Proposed Zoning: RM with Revised Commitments
<b>Zoning District Intent:</b>	<p>To provide areas for a variety of multi-family dwellings, apartment homes and complexes, and condominiums in areas with compatible infrastructure and services. Development in this zoning district should be served by sewer and water utilities. This district should be used in limited locations with highly developed infrastructure, immediate access to public open space and convenience goods. This district may be used to provide a transition from regional commercial areas to moderate density single-family residences. In the jurisdiction of the City of Columbus this district is intended for use only within the City limits.</p> <p><b>Existing Commitments:</b></p> <ol style="list-style-type: none"> <li>1. A Type A buffer, as defined by the Zoning Ordinance, shall be installed and maintained on the west property line of any development of the 4.51 acre portion of the former foundry site as long as non-residential zoning is present to the west.</li> <li>2. A transitional setback of 75 feet shall be provided on the west side of the 4.51 acre portion of the former foundry site, as long as non-residential zoning is present to the west.</li> </ol>	
<b>Permitted Uses:</b>	<ul style="list-style-type: none"> <li>• <b>Residential Uses:</b> <ul style="list-style-type: none"> <li>○ Dwellings, multi-family</li> <li>○ Dwelling, two-family</li> <li>○ Nursing home/assisted living facility</li> <li>○ Retirement facility</li> </ul> </li> <li>• <b>Park Uses:</b> <ul style="list-style-type: none"> <li>○ Nature preserve/conservation area</li> </ul> </li> </ul>	



<b>Zoning District Summary (Existing / Proposed):</b>		
	<b>Existing Zoning: RM with Commitments</b>	<b>Proposed Zoning: RM with Revised Commitments</b>
<b>Water and Sewer Service:</b>	Required	
<b>Lot and/or Density Requirements:</b>	<b>Maximum Density:</b> 25 dwelling units per Acre <b>Minimum Living Area:</b> <ul style="list-style-type: none"> <li>• <b>Two-Family:</b> 1,000 square feet</li> <li>• <b>Multi-Family:</b> 500 square feet</li> </ul>	
<b>Setbacks Required:</b> Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.	<b>Side Yard Setback:</b> (West) 75 feet (East) 10 feet <b>Rear Yard Setback:</b> 10 feet <b>Front Yard Setback:</b> 10 <sup>th</sup> Street: 10 feet* Cottage Ave: 10 feet* 12 <sup>th</sup> Street: 10 feet* *25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structures.	<b>Side Yard Setback:</b> (West) 35 feet (East) 10 feet <b>Rear Yard Setback:</b> 10 feet <b>Front Yard Setback:</b> 10 <sup>th</sup> Street: 10 feet* Cottage Ave: 10 feet* 12 <sup>th</sup> Street: 10 feet* *25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structures.
<b>Height Restrictions:</b>	<b>Primary Structure:</b> 50 feet <b>Accessory Structure:</b> 25 feet	
<b>Floor Area Requirements:</b>	Not applicable.	
<b>Signs:</b>	<b>Development Entry Signs:</b> <ul style="list-style-type: none"> <li>• <b>Maximum Number:</b> 2 per public street access point)</li> <li>• <b>Maximum Area (per sign):</b> 32 square feet</li> <li>• <b>Maximum Height:</b> 6 feet</li> </ul>	

<b>Interdepartmental Review:</b>	
<b>City Engineering:</b>	No comments have been received at this time.
<b>City Utilities:</b>	No comments have been received at this time.
<b>City Fire Department:</b>	The Columbus Fire Department does not have any issues with this request.
<b>Code Enforcement:</b>	No comments have been received at this time.
<b>MPO:</b>	I am fine with the setback issues, 75 feet is too much in an area where density makes sense.

### **History of this Location:**

The relevant history of this property includes the following:

1. On March 5, 2008, the Columbus Plan Commission reviewed a request (RZ-07-11) to rezone the subject property from I3 (Heavy Industrial) to R-7 (Multi-Family Residential). Plan Commission made a favorable recommendation to the City Council with two commitments included:
  1. A Type A buffer, as defined by the Zoning Ordinance, shall be installed and maintained on the west property line of any development of the 4.51 acre portion of the former foundry site as long as non-residential zoning is present to the west.
  2. A transitional setback of 75 feet shall be provided on the west side of the 4.51 acre portion of the former foundry site, as long as non-residential zoning is present to the west.
2. On April 1, 2008, the Columbus City Council adopted an ordinance approving the rezoning request with Plan Commission's commitments.
3. On April 3, 2008, the current Zoning Ordinance went into effect for the City of Columbus and the new zoning classification for the subject site is RM (Residential: Multi-Family).

### **Comprehensive Plan Consideration(s):**

The Future Land Use Map indicates the future use of this property as Residential.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. POLICY A-1-1: Encourage mixing of housing prices in all geographic areas of the city.
2. POLICY A-2-1: Strive to eliminate blighted areas.
3. POLICY A-2-9: Preserve and enhance the character of neighborhoods.
4. POLICY A-4-2: Encourage infill development, and/or use of vacant parcels for projects such as parks or other amenities which complement the neighborhoods in which they are located.
5. POLICY A-4-3: Prevent urban sprawl.
6. POLICY A-4-5: Prevent development in areas where such development would jeopardize health or safety.
7. POLICY D-1-1: Promote orderly housing expansion in locations where the city's infrastructure and services have the capacity to accommodate the growth.
8. POLICY D-1-3: Encourage development adjacent to already developed areas.
9. GOAL D-2: Encourage development of sufficient supply of diverse housing types, sizes, and price ranges in the community.
10. GOAL D-3: Provide high-quality residential neighborhood environments.
11. POLICY D-3-1: Encourage projects which improve and revitalize neighborhoods.

This property is located in the Columbus Central Neighborhoods character area. The following Planning Principle(s) apply to this application: Infill development that compliments existing neighborhoods should be encouraged.

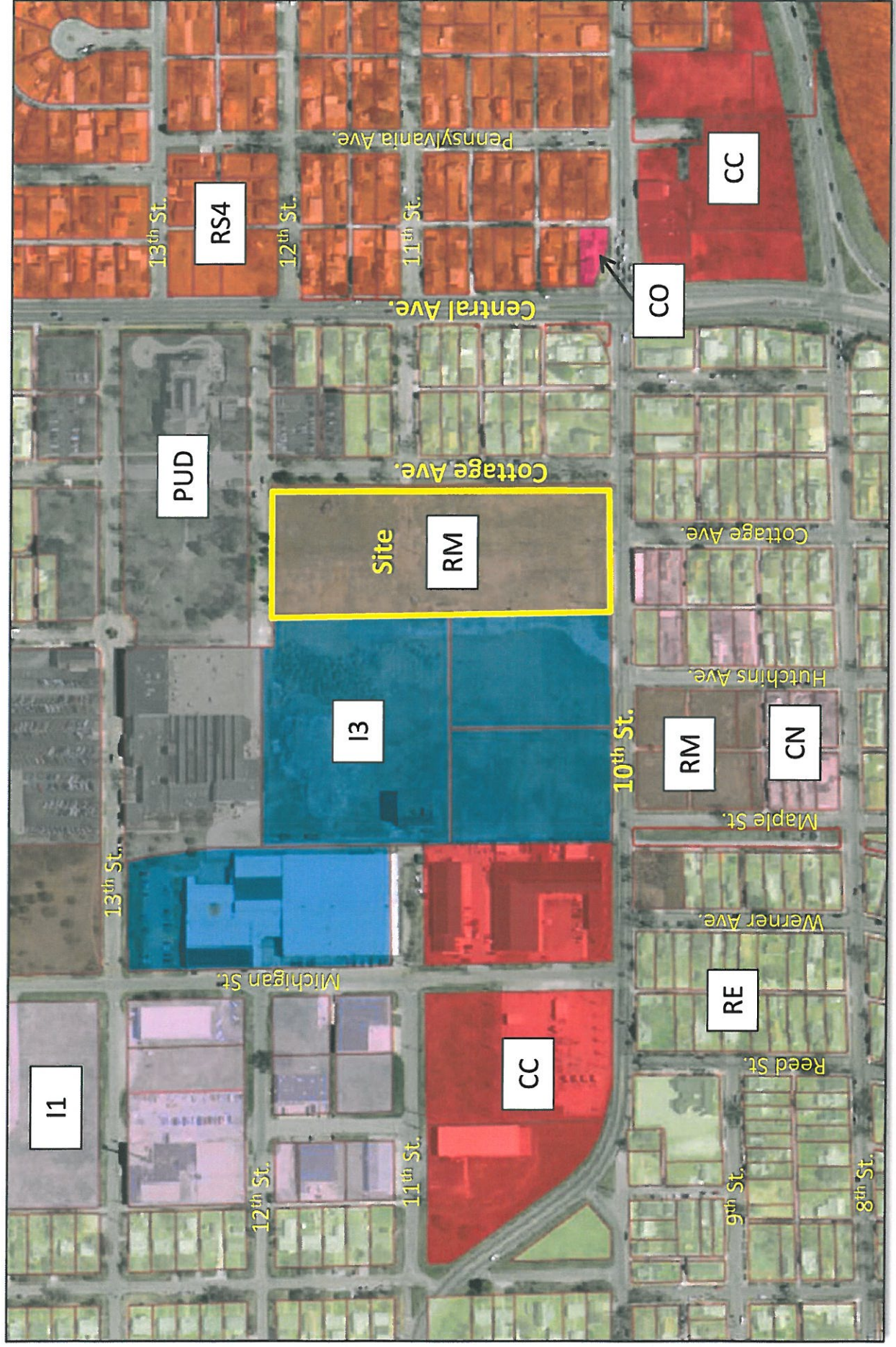
**Planning Consideration(s):**

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The subject property is part of the former Golden Casting Foundry where high grade iron castings were manufactured. In 2006 site clearance began to remove the structures on site. The eastern portion of the Foundry site (subject property) was rezoned in 2008 from I3 (Industrial: Heavy) to RMc (Residential: Multi-Family with Commitments) and the remaining Foundry property to the west is still currently zoned I3 (Industrial: Heavy) but has not been redeveloped. The applicant is proposing to construct a 60 unit multi-family apartment complex on the subject property.
2. There were two commitments that were placed on the subject site at the time of the original rezoning (RZ-07-11) in regards to a landscape buffer and building setback along the west property line. The intent of the two commitments was to protect the residents on the subject property from the adjacent property to the west in the event it was ever redeveloped for industrial purposes because the zoning still remains industrial. However, if the properties to the west were rezoned to residential, then both commitments associated with the rezoning would no longer apply. At this time, the applicant is requesting from Plan Commission to remove the second commitment in regards to building setback.
3. Per Section 3.14(C) of the Zoning Ordinance, the side setback for multi-family structures in the RM (Residential: Multi-Family) zoning district is 10 feet. The current commitment on the subject property states that the side building setback along the west property line is 75 feet.
4. When the subject property was rezoned to multi-family, the Zoning Ordinance that was in effect at the time did not require any type of buffering between the industrial zoned property to the west and the subject site because the industrial zoning was there prior to the multi-family zoning. Therefore, the Plan Commission added a commitment to the property when it was rezoned to provide a Type A Landscape Buffer along the west property line to further protect and screen the future residences on the property. Under the current Zoning, whenever a rezoning occurs that requires a buffer yard where none was required previously, the property that is rezoned shall provide the buffer yard, per Section 8.2(A)(2). The current Zoning Ordinance would require a Type A Landscape Buffer on the subject property regardless of the previously placed commitment. Per Section 8.2(D) of the Zoning Ordinance, a Type A Landscape Buffer shall include a minimum width of 25 feet and shall be a dense buffer that consists of either a fence or wall with landscaping or an opaque landscape screen. The required 25 foot setback is in addition to any required building setback for the property; therefore the subject property would be required to provide a 25 foot buffer setback plus a 10 foot building setback for a total of 35 feet under today's standards.



# Property Location & Surrounding Zoning



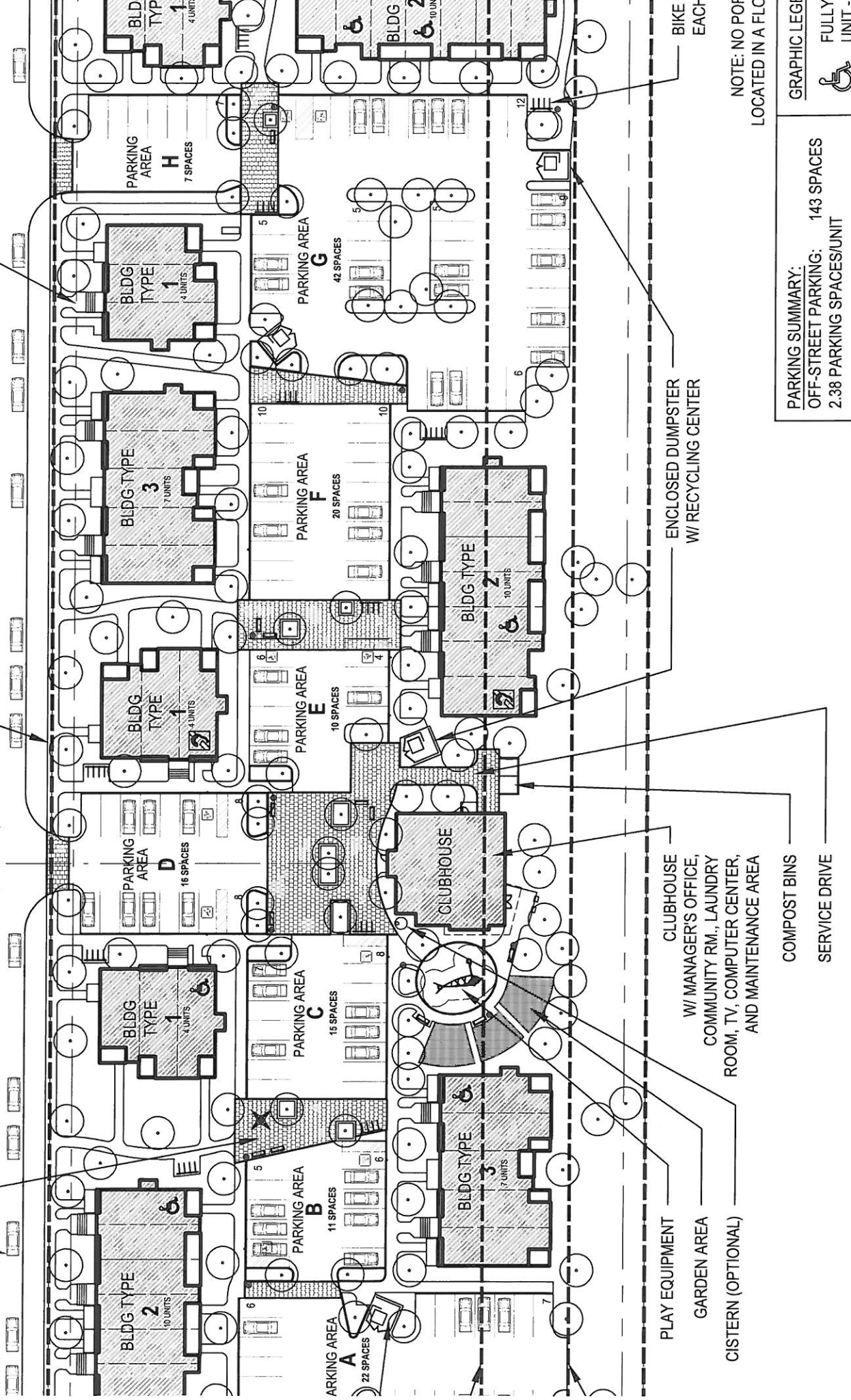


11th ST

PEDESTRIAN ZONE

10' FRONT YARD SETBACK  
NEW SIDEWALKS THROUGHOUT  
DEVELOPMENT & ON PERIMETER  
OF SITE

COTTAGE AVENUE  
(60' ROW)



NOTE: NO POB  
LOCATED IN A FLC

PARKING SUMMARY:	GRAPHIC LEGEND
OFF-STREET PARKING: 143 SPACES	FULLY ACCESSIBLE UNIT -
2.38 PARKING SPACES/UNIT	



## MEMORANDUM

**TO:** Columbus City Council Members

**FROM:** Jeff Bergman, AICP  
on behalf of the Columbus Plan Commission

**DATE:** May 27, 2014

**RE:** RZ-14-08 (*Kroger Rezoning*)

At its May 14, 2014 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 10 in favor and 0 opposed.

Kroger proposes to rezone the former Dolly Madison bakery site at 3060 N. National Road from I-2 (Industrial: General) to CR (Commercial: Regional Center). Kroger has indicated their intent to construct a new supermarket at this location.

No members of the public spoke for or against this request at the Plan Commission meeting.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the rezoning,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the Plan Commission staff report,
4. a location map,
5. a conceptual site plan and possible building elevations provided by the applicant.

Please feel free to contact me if you have any questions regarding this matter.



ORDINANCE NO.: \_\_\_\_\_, 2014

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY  
FROM "I-2" (INDUSTRIAL: GENERAL)  
TO "CR" (COMMERCIAL: REGIONAL CENTER)**

**To be known as the: Kroger Rezoning  
Plan Commission Case No.: RZ-14-08**

**WHEREAS**, this rezoning was requested by Kroger Limited Partnership and includes the consent of all owners of the subject property; and

**WHEREAS**, the Columbus Plan Commission did, on May 14, 2014, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

**WHEREAS**, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Columbus, Indiana, as follows:

**SECTION 1: Official Zoning Map**

The zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed from "I-2" (Industrial: General) to "CR" (Commercial: Regional Center):

*Lot Numbered One-A (1A) in Administrative Resubdivision of Suverkrup Interstate Brands Plat recorded as Instrument #03-5376 in Plat Book "R", page 4A, in the Office of the Recorder of Bartholomew County, Indiana.*

*Except that part conveyed to the State of Indiana by a certain Warranty Deed recorded March 15, 2007 as Instrument No. 200700004519, more particularly described as follows:*

*A part of Lot Number 1A of Administrative Resubdivision of Suverkrup/Interstate Brands Plat as recorded in Plat Book "R", page 4A in the Office of the Recorder of Bartholomew County, Indiana and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Beginning at a point on the northern line of said lot Northwesterly 118.710 meters (389.47 feet) along an arc to the left having a radius of 1855.876 meters (6088.83 feet) and subtended by a long chord having a bearing of North 66 degrees 45 minutes 46 seconds West and a length of 118.690 meters (389.40 feet) (Basis of bearings is the Centerline of U.S. 31 as shown on a certain Location Control Route Survey Plat recorded in Document Number 20004091 in the Office of the Recorder of said county) from the northeast corner of said lot, which Point of Beginning is designated as point "1594" on said Parcel Plat; thence South 21 degrees 24 minutes 18 seconds West 1.760 meters (5.77 feet) to the point designated "1595" on said Parcel Plat; thence North 68 degrees 39 minutes 23 seconds West 3.964 meters (13.01 feet) to the point designated "1597" on said Parcel Plat; thence North 21 degrees 16 minutes 57 seconds East 1.760 meters (5.77 feet) to said northern line designated as point "1596" on said Parcel Plat; thence along said northern line Southeasterly 3.967 meters (13.02 feet) along an arc to the right having a radius of 1855.876 meters (6088.83 feet) and subtended by a long chord having a bearing of South 68 degrees 39 minutes 23 seconds East and a length of 3.967 meters (13.02 feet) to the Point of Beginning and containing 0.0007 hectares (0.002 acres), more or less.*

*A part of Lot Number 1A of Administrative Resubdivision of Suverkrup/Interstate Brands Plat as recorded in Plat Book "R" page, 4A in the Office of the Recorder of Bartholomew County, Indiana and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Beginning at a point on the northern line of said lot Northwesterly 188.140 meters (617.26 feet) along an arc to the left having a radius of 1855.876 meters (6088.83 feet) and subtended by a long chord having a bearing of North 67 degrees 50 minutes 04 seconds West and a length of 188.060 meters (616.99 feet) (Basis of bearings is the Centerline of U.S. 31 as shown on a certain Location Control Route Survey Plat recorded in Document Number 20004091 in the Office of the Recorder of said county) from the northeast corner of said lot, which Point of Beginning is designated as point "2873" on said Parcel Plat; thence North 76 degrees 22 minutes 03 seconds West 18.918 meters (62.07 feet) to the point designated "2849" on said Parcel Plat; thence Northwesterly 82.915 meters (272.03 feet) along an arc to the left having a radius of 1854.116 meters (6083.06 feet) and subtended by a long chord having a bearing of North 72 degrees 36 minutes 05 seconds West and a length of 82.908 meters (272.00 feet) to the northwestern line of said lot; thence North 23 degrees 11 minutes 23 seconds East 1.773 meters (5.82 feet) along said northwestern line to said northern line; thence southeasterly 101.621 meters (333.40 feet) along an arc to the right having a radius of 1855.876 meters (6088.83 feet) and subtended by a long chord having a bearing of South 72 degrees 18 minutes 26 seconds East and a length of 101.608 meters (333.36 feet) to the point of beginning and containing 0.0163 hectares (0.040 acres), more or less.*

*Less and except the East Half of the following described real estate, said One-Half (1/2) containing 0.2275 acres. Tract "F"*

*BEGINNING at the northeast corner of Lot 1 in Sap's Minor Plat, as recorded in the Bartholomew County Recorder's Plat Book J, page 125; thence North 23° 13' 19" East, an assumed bearing 50.02 feet along the west line of the Conrail right of way to the centerline of U.S. Highway 31; thence along the centerline of U.S. 31 and a non-tangent curve to the right 39.97 feet (said curve having a radius of 6,138.84 feet, a chord bearing of South 65° 15' 54" East, and a chord of 39.97) to the west line of real estate deeded to Public Service Company of Indiana, Inc. and described as Parcel 2 by deed recorded in said Recorder's Deed Record 305, page 795; thence South 23° 13' 19" West, 486.59 feet along the west line of said Public Service Parcel 2; thence South 89° 47' 54" West, 43.55 feet parallel with the south line of said Northeast Quarter to an existing 2 inch iron pipe marking the southeast corner of Lot 1 in said Sap's Minor Plat, said iron pipe being on the west line of Conrail right of way; thence North 23° 13' 19" East, 454.94 feet (455.41 plat) along the east line of Lot 1 in said Saps' Minor Plat and along the west line of said Conrail right of way to the point of Beginning, containing 0.455 of an acre.*

## **SECTION 2: Commitment(s)**

No commitments are attached to this rezoning.

## **SECTION 3: Repealer**

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

## **SECTION 4: Severability**

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

## **SECTION 5: Effective Date**

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock \_\_\_\_\_.m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

**ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

\_\_\_\_\_  
Kristen S. Brown  
Mayor of the City of Columbus, Indiana

**RESOLUTION: RZ-14-08**

**of the City of Columbus, Indiana Plan Commission**

regarding  
**Case number RZ-14-08**  
**(Kroger Rezoning),**  
**a proposal to rezone +/-11.50 acres from**  
**I-2 (Industrial: General) to CR (Commercial: Regional Center)**

**WHEREAS**, the Plan Commission has received the application referenced above from Kroger Limited Partnership; and

**WHEREAS**, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

**WHEREAS**, the Plan Commission did, on May 14, 2014, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

**WHEREAS**, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

**WHEREAS**, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

**NOW THEREFORE BE IT RESOLVED**, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The rezoning of the property subject to the application (approximately 11.50 acres located at 3060 North National Road) is forwarded to the Common Council with a favorable recommendation.
- 2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by IC 36-7-4-605.

**ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 14<sup>th</sup> DAY OF MAY 2014  
BY A VOTE OF 10 IN FAVOR AND 0 OPPOSED.**

\_\_\_\_\_  
Roger Lang, President

**ATTEST:**

\_\_\_\_\_  
David L. Fisher, Secretary



## STAFF REPORT

### CITY OF COLUMBUS PLAN COMMISSION (May 14, 2014 Meeting)

**Docket No. / Project Title:** RZ-14-08 (Kroger)  
**Staff:** Leanne Wells  
**Applicant:** Kroger Limited Partnership  
**Property Size:** 11.5 Acres  
**Current Zoning:** I-2 (Industrial: General)  
**Proposed Zoning:** CR (Commercial: Regional Center)  
**Location:** 3060 National Road, Columbus, IN. 47201

#### Background Summary:

The applicant has indicated that the proposed rezoning is for the purpose of constructing a 119,556 sq. ft. Kroger Marketplace on the southeast corner of National Road and Central Avenue. The site is currently zoned as I-2 (Industrial General) where the Dolly Madison bakery was previously in operation. A supermarket is not permitted in this zoning district. The CR (Commercial: Regional Center) zoning district allows for large scale retail, and therefore would be appropriate for supermarkets.

#### Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: Is the CR (Commercial: Regional Center) appropriate for this location?

#### Preliminary Staff Recommendation:

Favorable Recommendation to the City Council.

#### Plan Commission Options:

In reviewing a request for rezoning the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may recommend that conditions or commitments be attached to the rezoning request. The City Council makes all final decisions regarding rezoning applications.

#### Decision Criteria:

Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

##### The Comprehensive Plan.

*Preliminary Staff Comments:* The subject property is surrounded by CC (Commercial: Community Center) and CR (Commercial : Regional Center) zoning. Duke Electric, a small strip development and two retail lots are to the south, Bob Poynter Car Sales is to the east and Renner Honda is to the north. The Comprehensive Plan identifies this area as Commercial, which is also the existing use of the properties immediately surrounding the subject property.



**The current conditions and the character of current structures and uses in each district.**

*Preliminary Staff Comments:* The vacant Dolly Madison factory stands at this site surrounded by small businesses to the west and a car dealership to the east. The uses for the existing I-2 district are not retail in nature. They are geared for light industrial, utility and public or semi-public uses. The uses for CR (Commercial: Regional Center) have some similarities with I-2 such as utility and public/semi-public uses, but most are aligned with public interaction such as retail, hotel/motel, and recreation uses. Both National Road and Central Avenue are Major Arterial Streets. These streets are designed to handle from 10,000 vehicles per day on two-lane facilities up to 50,000 vehicles on six-lane facilities.

**The most desirable use for which the land in each district is adapted.**

*Preliminary Staff Comments:* The most desirable use for this commercial district is aligned with this zoning request and the proposed use for large scale retail. The site is surrounded by existing CR (Commercial: Regional Center) zoning. There is also the presence of the state highway (U.S. 31) and a principle arterial street, Central Avenue that will be able to accommodate the site's traffic.

**The conservation of property values throughout the jurisdiction of the City of Columbus.**

*Preliminary Staff Comments:* The intention of the proposed rezoning CR (Commercial: Regional Center) will not hinder the property values in the jurisdiction of the City of Columbus. The site has access to public infrastructure and its commercial redevelopment has the potential to increase in value in the area.

**Responsible growth and development.**

*Preliminary Staff Comments:* This type of commercial redevelopment is responsible due to the re-use of an existing site, would be located at a key intersection that serves a high volume traffic, and has the potential to spur new development for the surrounding area.

Current Property Information:	
<b>Land Use:</b>	I-2 (Industrial : General)
<b>Site Features:</b>	Vacant Industrial Facility
<b>Flood Hazards:</b>	No flood hazards present.
<b>Special Circumstances:</b> (Airport Hazard Area, Wellfield Protection Area, etc.)	No special circumstances present.
<b>Vehicle Access:</b>	Central Avenue (Principle Arterial, Commercial, Suburban) National Road (Principle Arterial, Commercial, Suburban)

Surrounding Zoning and Land Use:		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	CC (Commercial : Community Center)	Renner Honda, Nichols Auto Repair, Silgas
<b>South:</b>	CR (Commercial : Regional Center)	Duke Electric
<b>East:</b>	CR (Commercial : Regional Center)	Bob Poynter



<b>West:</b>	CC (Commercial : Community Center)	Existing Kroger location, strip development
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<b>Zoning District Summary (Existing / Proposed):</b>		
	<b>Existing Zoning: I-2</b>	<b>Proposed Zoning: CR</b>
<b>Zoning District Intent:</b>	The intent is to provide locations for general production, assembly, warehousing, research & development facilities, and similar land uses. This district is intended to accommodate most modern industrial production facilities and should be considered as appropriate for most general industrial developments and uses.	The intent is to establish appropriate locations for a variety of businesses that either (1) serve a regional market or (2) require convenient access to high volume transportation routes. This district should be limited to locations with access and infrastructure which is compatible with the needs of regional-serving businesses and facilities. This district should be focused at key intersections, rather than extended along corridors.
<b>Permitted Uses:</b>	<p><b>Agriculture Uses</b></p> <ul style="list-style-type: none"> <li>• farm (CFO/CAFO type I) - County &amp; Joint District Jurisdictions</li> <li>• farm (general)</li> </ul> <p><b>Communications / Utilities Uses</b></p> <ul style="list-style-type: none"> <li>• communication service exchange</li> <li>• sewage treatment plant</li> <li>• utility substation</li> <li>• water tower</li> </ul> <p><b>Public / Semi-Public Uses</b></p> <ul style="list-style-type: none"> <li>• government facility (non-office)</li> <li>• parking lot / garage (as a primary use)</li> <li>• police, fire, or rescue station</li> </ul> <p><b>Park Uses</b></p> <ul style="list-style-type: none"> <li>• nature preserve / conservation area</li> </ul> <p><b>Commercial Uses</b></p> <ul style="list-style-type: none"> <li>• auto-oriented uses (medium scale)</li> <li>• builder's supply store</li> <li>• conference center</li> <li>• data processing / call center</li> </ul> <p><b>Industrial Uses</b></p> <ul style="list-style-type: none"> <li>• contractor's office / workshop</li> <li>• dry cleaners (commercial)</li> <li>• food &amp; beverage production</li> <li>• general industrial production</li> <li>• light industrial assembly &amp;</li> </ul>	<p><b>Communications / Utilities Uses</b></p> <ul style="list-style-type: none"> <li>• communication service exchange</li> <li>• utility substation</li> <li>• water tower</li> </ul> <p><b>Public / Semi-Public Uses</b></p> <ul style="list-style-type: none"> <li>• clinic</li> <li>• community center</li> <li>• day-care center (adult or child)</li> <li>• government office</li> <li>• hospital</li> <li>• museum</li> <li>• parking lot / garage (as a primary use)</li> <li>• police, fire, or rescue station</li> <li>• post office</li> <li>• trade or business school</li> <li>• worship facility</li> </ul> <p><b>Park Uses</b></p> <ul style="list-style-type: none"> <li>• nature preserve / conservation area</li> <li>• park / playground</li> </ul> <p><b>Commercial Uses</b></p> <ul style="list-style-type: none"> <li>• auto-oriented uses (small scale)</li> <li>• auto-oriented uses (medium scale)</li> <li>• auto-oriented uses (large scale)</li> <li>• auto rental (includes truck, RV, etc)</li> <li>• builder's supply store</li> <li>• data processing / call center</li> <li>• equipment rental</li> </ul>

<b>Zoning District Summary (Existing / Proposed):</b>		
	<b>Existing Zoning: I-2</b>	<b>Proposed Zoning: CR</b>
	distribution • light industrial processing & distribution • mini-warehouse self-storage facility • research & development facility • truck freight terminal • warehouse & distribution facility	• farm equipment sales & service • health spa • hotel / motel • instructional center • liquor store • office uses • personal service uses • recreation uses (small scale) • recreation uses (medium scale) • restaurant • retail uses (small scale) • retail uses (medium scale) • retail uses (large scale)  <b>Industrial Uses</b> • wholesale facility
<b>Water and Sewer Service:</b>	Required	Required
<b>Lot and/or Density Requirements:</b>	1 acre	Minimum lot area: 15,000 sq. ft.
<b>Setbacks Required:</b> Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.	<b>Side Yard Setback:</b> 20 feet for primary and accessory structure(s)  <b>Rear Yard Setback:</b> 20 feet for primary and accessory structure(s)  <b>Front Yard Setback:</b> Arterial Street: 50 feet	<b>Side Yard Setback:</b> 10 feet for primary and accessory structure(s)  <b>Rear Yard Setback:</b> 10 feet for primary and accessory structure(s)  <b>Front Yard Setback:</b> Arterial Street: 10 feet *25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structures
<b>Height Restrictions:</b>	<b>Primary Structure:</b> Primary structure: 50 feet  <b>Accessory Structure:</b> Accessory structure: 40 feet	<b>Primary Structure:</b> No maximum.  <b>Accessory Structure:</b> Accessory structure: 50 feet
<b>Floor Area Requirements:</b>	N/A	N/A

**Zoning District Summary (Existing / Proposed):**

	<b>Existing Zoning: I-2</b>	<b>Proposed Zoning: CR</b>
<b>Signs:</b>	<p><u>Permanent:</u></p> <p>Wall signs</p> <ul style="list-style-type: none"><li>• 2 wall signs per street frontage, 350 sq. ft. maximum.</li></ul> <p>Freestanding signs</p> <ul style="list-style-type: none"><li>• 1 per road frontage per lot, 75 sq. ft., 10 feet in height.</li></ul> <p>Window</p> <ul style="list-style-type: none"><li>• 25% of all window area or 25 sq. ft. whichever is less.</li></ul> <p><u>Temporary:</u></p> <p>Banner</p> <ul style="list-style-type: none"><li>• 1 @ 32 sq.ft. for 90 days per calendar year.</li></ul> <p>Inflatable</p> <ul style="list-style-type: none"><li>• 1 @ 25 feet tall for 25 days per calendar year.</li></ul> <p>Beacon</p> <ul style="list-style-type: none"><li>• 1 for 12 days per calendar year.</li></ul>	<p><u>Permanent:</u></p> <p>Wall signs</p> <ul style="list-style-type: none"><li>• 2 wall signs per street frontage, 350 sq. ft. maximum.</li></ul> <p>Freestanding signs</p> <ul style="list-style-type: none"><li>• 1 per road frontage per lot, 150 sq. ft., 25 feet in height.</li></ul> <p>Window</p> <ul style="list-style-type: none"><li>• 25% of all window area or 40 sq. ft. whichever is less.</li></ul> <p><u>Temporary:</u></p> <p>Banner</p> <ul style="list-style-type: none"><li>• 1 @ 32 sq.ft. for 90 days per calendar year.</li></ul> <p>Inflatable</p> <ul style="list-style-type: none"><li>• 1 @ 25 feet tall for 25 days per calendar year.</li></ul> <p>Beacon</p> <ul style="list-style-type: none"><li>• 1 for 12 days per calendar year.</li></ul>

**Interdepartmental Review:**

<b>City Engineering:</b>	The City Engineer recommends a traffic study for this intersection to assess the impact that may be generated by this use.
<b>City Utilities:</b>	No comments at this time.
<b>Parks Department:</b>	No comments at this time.
<b>MPO:</b>	No comments at this time.

**History of this Location:**

The relevant history of this property includes the following: Dolly Madison Bakery, owned by Interstate Brands Corporation of Kansas City, MO. went out of business in 2012. They owned the land until August 21, 2013. At that time, Flowers Baking Company of Columbus purchased the property. The site has remained dormant for the last two years.



**Comprehensive Plan Consideration(s):**

The Future Land Use Map indicates the future use of this property as Commercial.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **GOAL A-4:** Promote wise and efficient use of limited resources and nonrenewable resources, including but not limited to capital and land.
2. **GOAL E-3:** Encourage a business friendly climate which will foster growth in the commercial sector, while protecting the character of neighborhoods.
3. **POLICY A-2-11:** Encourage all new development to be in scale (height, area, mass, setback, etc.) with its surroundings, determined on a neighborhood-by-neighborhood basis.
4. **POLICY A-4-1:** Preserve & revitalize older neighborhoods, including buildings, grounds, and infrastructure.
5. **POLICY A-4-2:** Encourage infill development, and/or use of vacant parcels for projects such as parks or other amenities which complement the neighborhoods in which they are located.
6. **POLICY A-4-3:** Prevent urban sprawl.
7. **POLICY E-2-2:** Encourage smooth, efficient traffic flow, and as properties are redeveloped, reduce the number of driveways onto these highways.
8. **POLICY E-2-3:** Establish objective design standards (not an architectural review committee), to encourage development with appropriate landscaping, parking, setbacks, visually appealing buildings, and attractive and effective signage.
9. **POLICY E-2-14:** Encourage development of commercial and office centers, rather than strip development.
10. **POLICY E-3-1:** Allow the free market and private investment decisions to govern the quantity of each type of business and the variety of goods and services available, within the framework of an overall land use plan.

This property is located in the National Road Commercial Corridor character area. The following Planning Principle(s) apply to this application: Develop a plan to encourage the re-use of vacant buildings.

The City of Columbus adopted the Central Avenue Corridor Plan in July 13, 2011. The plan provides a vision and strategy for Central Avenue between Rocky Ford Road and State Street. It outlines the framework for future development, redevelopment and public space improvements. The plan also views the intersection of National Road and Central Avenue as a gateway that can influence the corridor's identity through redevelopment and site design. It forecasts this intersection to be commercial development.

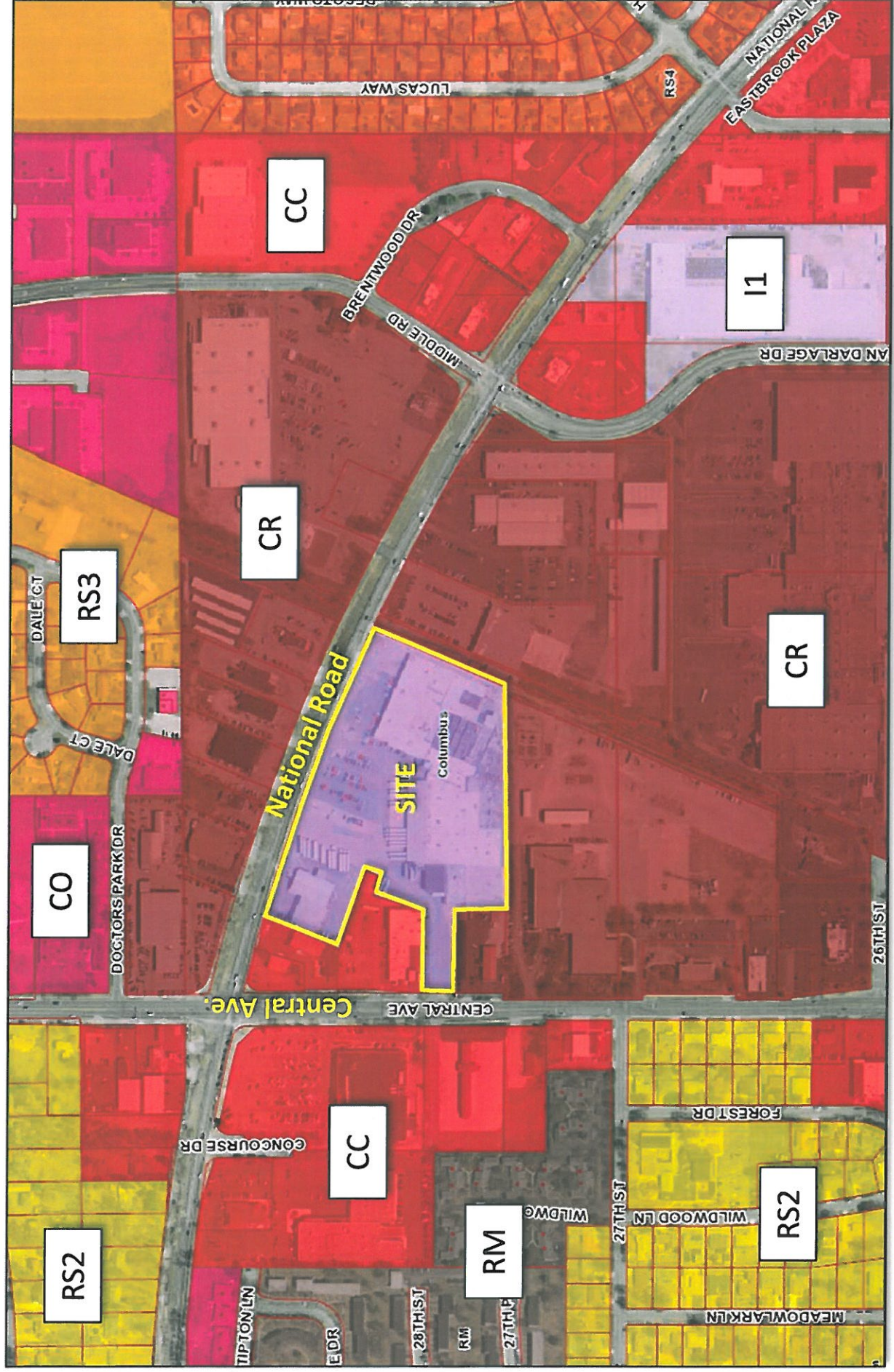
**Planning Consideration(s):**

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The current condition of the site is a dormant industrial factory—the Dolly Madison Factory that went out of business 2 years ago. While this site may have been appropriately zoned as industrial in the past, the Comprehensive Plan considers this area to be commercial—thereby deeming this as an appropriate development in line with the growth of Columbus.
2. Both National Road and Central Avenue are Major Arterial Streets with four-lane facilities and a center turn lane. Major Arterials are designed to handle from 10,000 vehicles per day on two-lane facilities up to 50,000 vehicles on six-lane facilities.
3. The City Engineer recommends a traffic study for this intersection to assess the impact that may be generated by this use.



# Property Location & Surrounding Zoning









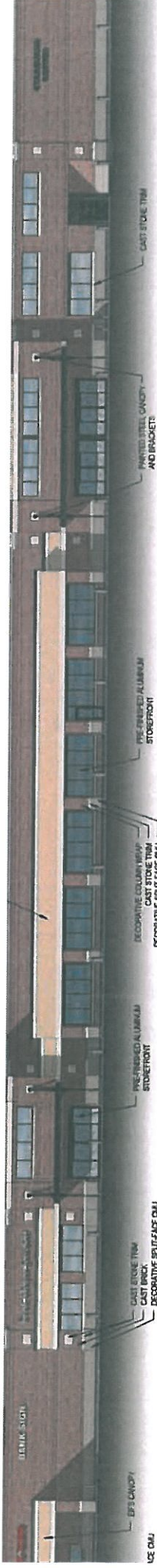


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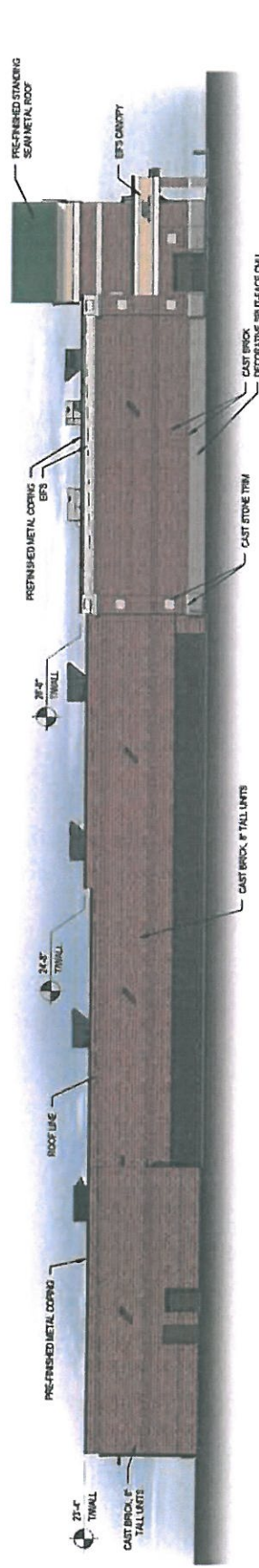
123K MARKETPLACE  
119,556 S.F. FOOTPRINT

LANDSCAPE SYMBOL KEY

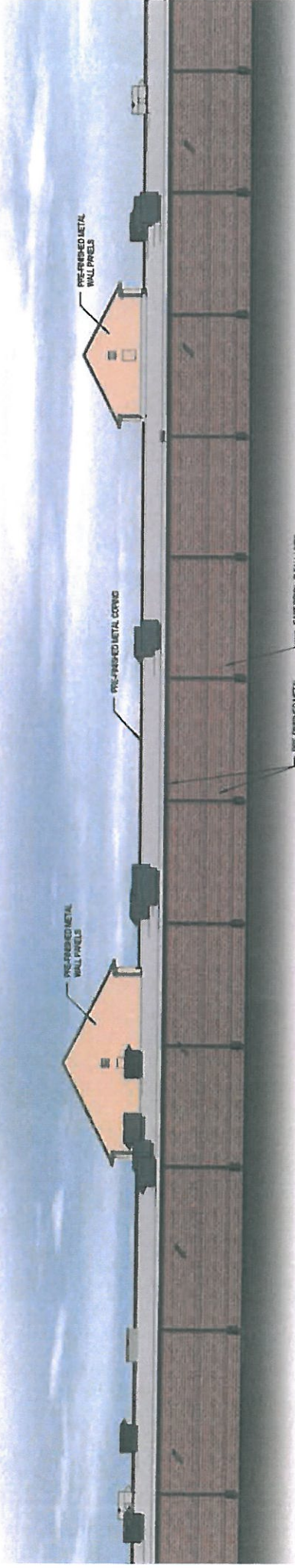
-  DECIDUOUS SHADE TREES  
 EVERGREEN TREES  
 ORNAMENTAL TREES  
 ORNAMENTAL GRASSES/SH



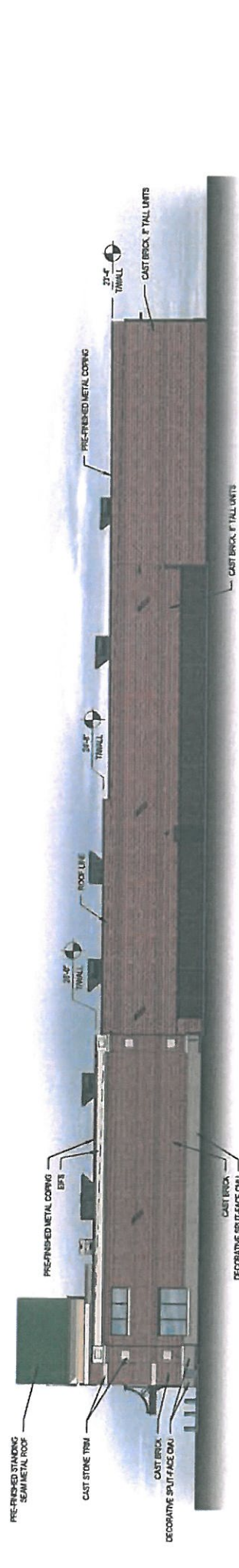
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

**ORDINANCE NO. \_\_, 2014**

**AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION  
OF FUNDS FOR THE BUDGET YEAR 2014**

**WHEREAS**, the Indiana General Assembly has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and

**WHEREAS**, it is necessary to appropriate additional funds from the General Fund in the maximum amount of \$295,000 for the city's portion of upgrading the Bartholomew County Emergency Operating Center's radio consoles; and

**WHEREAS**, there are additional funds in the amount of \$295,000 available for these purposes and these funds must be appropriated for these purposes before they can be spent.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA**, that the funds in the amount of Two Hundred Ninety-Five Thousand Dollars (\$295,000.00) shall be paid during the 2014 budget year and the same is hereby appropriated and ordered to be paid from the General Fund for the City of Columbus, Indiana and for the purposes of the city's portion of upgrading the Bartholomew County Emergency Operating Center's radio consoles.

**BE IT FURTHER ORDAINED**, that the above additional appropriation shall be effective as of the date of adoption of this Ordinance.

**BE IT FURTHER ORDAINED**, that the Clerk Treasurer and the Mayor be and are hereby authorized and empowered and directed to take any and all further actions necessary to effect this additional appropriation.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock P.M. by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

**ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock P.M.

\_\_\_\_\_  
Kristen Brown  
Mayor, City of Columbus, Indiana